31761 12063890 3

CA2ON
TR800
-1976
N 011

GOVT

Digitized by the Internet Archive
in 2025 with funding from
University of Toronto

https://archive.org/details/31761120638903

Government Publications
3
CA2 ON
TR800
-1976
N011

NIAGARA REGION

THE REPORT OF THE NIAGARA REGION STUDY REVIEW COMMISSION 1975-1977

WILLIAM L. ARCHER, Q.C.
COMMISSIONER

TORONTO
1513
KITCHENER
HAMILTON
565
UNITED
L A K
Map Number 1

NIAGARA REGION STUDY REVIEW COMMISSION

PINE PLAZA
40 ALBERT STREET, WEST
THOROLD, ONTARIO L2V 2G3
TELEPHONE: (416) 227-4662 — 1-800-263-7256

Call Toll-free from any where in the Niagara Region

WILLIAM L. ARCHER, Q.C.
COMMISSIONER

March 31, 1977

LIBRARY
MAY 26 1977
UNIVERSITY
OF TORONTO

The Honourable W. Darcy McKeough,
Treasurer of Ontario,
Minister of Treasury, Economics and Intergovernmental Affairs,
7th Floor, Frost Building South,
Queen's Park,
Toronto, Ontario.
M7A 1Y7

Dear Mr. Minister:

With pleasure (and relief) I submit this report which is an examination in the broadest sense of government in the Region of Niagara. Both strengths and weaknesses were found; this report also will contain both. Some of the weaknesses result, no doubt, from my own myopia. The strengths reflect the efforts of the good people of Niagara, and hopefully will be for the benefit of succeeding generations. It is for them, the youth, that we help shape the community for their tomorrow.

I am grateful for this opportunity to have worked with so many who have helped me to prepare this report.

Respectfully submitted,

W. L. Archer

William L. Archer,
Commissioner

An opportunity for you, the people of Niagara, to take an active part to improve your government in Niagara.

ACKNOWLEDGEMENTS

No study, least of all this one, is the work of a single person. My grateful thanks go to the Research Co-ordinator, Richard A. Loreto, his associate, Wayne D. Petrozzi; to Gail Stewart, Carolyn Collier, Stephen Zacks and Hilda Wilson for their efforts in putting this report together; to the investigators and their assistants for the production of background studies; to Charlene Waters, who so ably ran our base office and did ever so much from beginning to end; and a word of appreciation to Robert Whitelaw, the co-ordinator for the Treasurer who helped in so many ways and yet maintained our independence; and to the patience and forbearance of Gwen and Jan at home.

To each of you, I extend my deep appreciation and heartfelt thanks.

W.L.A.
March, 1977

This report and the background studies have been printed by Lincoln Graphics of St.Catharines.

CA2 ON TR820
-77N36

Table of Contents

	Page
Letter of Transmittal	i
Acknowledgements	ii
List of Tables	vi
List of Maps	vii
Chapter 1 - Introduction	1
Commissioner's Introduction	1
Study Review: Initiation and Purpose	2
Terms of Reference	3
The Commission's Approach	4
Local Government in Ontario: The Last 25 Years	6
The Niagara Region	8
Niagara Today: Socio-Economic Profile	12
Chapter 2 - Niagara Region: The First Six Years	14
Regionalism: Concept and Identity	14
Regional Identity: The Missing Ingredient	15
The Region and the Province	17
The Region and the Area Municipalities	18
The Area Municipalities	20
Tax Dollars and Service Levels	21
Chapter 3 - Regional Government	23
Regional Council	23
Regional Chairman	27
Role of the Regional Councillor	29
Role of the Public	31
Regional Administrative Structure	32
Local Government Management Project	35
Chapter 4 - Communications	37
Chapter 5 - Regional Functions	42
Culture - Arts, Drama, Music	42
Emergency Operations	44
Housing	46
Hydro	48
Industrial Promotion and Development	52
Libraries	54
Parks and Recreation	57
People Services	58
Planning	60
- Niagara Escarpment Commission	65
- Niagara Region Land Division Committee	66
Policing	67
Property Transactions	69

Chapter 5 - Regional Functions (Cont'd)	Page
Services - Sewer and Water	70
Tourism	75
Transportation	76
- Public Transit	79
Chapter 6 - Area Municipalities	82
Boundaries	82
- External Boundaries	82
- Internal Boundaries	82
Individual Municipalities	82
- Fort Erie	82
- Grimsby	83
- Lincoln	83
- Niagara Falls	83
- Niagara-on-the-Lake	84
- Pelham	84
- Port Colborne	85
- St.Catharines	86
- Thorold	87
- Wainfleet	87
- West Lincoln	87
- Welland	88
Functions and Responsibilities	89
- Planning	89
- Fire Protection	89
- Building Standards	90
- The Local Governments	90
- The Clerk	90
- The Question of Secrecy	91
- Committee Systems	91
- Special-Purpose Bodies	92
- Departmental Structure	93
Chapter 7 - City of Lincoln	94
The Concept	94
The Proposal	95
The Purpose	96
The Structure	97
The Services	97
Chapter 8 - Finance	99
Municipal Finance	99
Educational Finance	103
Farm Tax Reduction Program (FTRP)	104
Chapter 9 - Education	106
Chapter 10 - Federal Government	108

	Page
Chapter 11 - Electoral System	113
Election Date	113
Enumeration	115
Electoral Term	117
Council Size and Dual Service	117
Ward Systems	121
Election of Chairman	122
Education Elections	123
Remuneration	124
Chapter 12 - Provincial Government	127
Conclusions	137
Appendix 1 - Terms of Reference and Biographical Notes	138
Appendix 2 - Information Published by Commission	140
Appendix 3 - Proposed City of Lincoln	141
Appendix 4 - Submissions to the Commission	146
Appendix 5 - Itinerary of the Commissioner	148

Inquiries and requests for copies of this report and the Background Research Studies contact:

Local Government Organization Branch,
Ministry of Treasury,
Economics and Intergovernmental Affairs,
Queen's Park,
Toronto 416-965-6934

or

Niagara Region in St. Catharines
416-685-1571

List of Tables

TABLE 1 - Regional Departmental Structure

TABLE 2 - Comparative Hydro Bills

TABLE 3 - Estimated Residential Development Capacity within the Urban Area Boundaries, October, 1974

TABLE 4 - City of Lincoln-Area and Population

TABLE 5 - Record of Registered Conveyances-Regional Municipality of Niagara

TABLE 6 - Regional Representation Formula

TABLE 7 - Electoral Structures Available

TABLE 8 - Electoral Structures Available (Mayor Chosen by Council)

TABLE 9 - Remuneration - Regional Municipalities

TABLE 10 - Remuneration - Area Municipalities

List of Maps

MAP 1 - Aerial Satellite Map

MAP 2 - 1800 Map of Lincoln County

MAP 3 - Physical Features

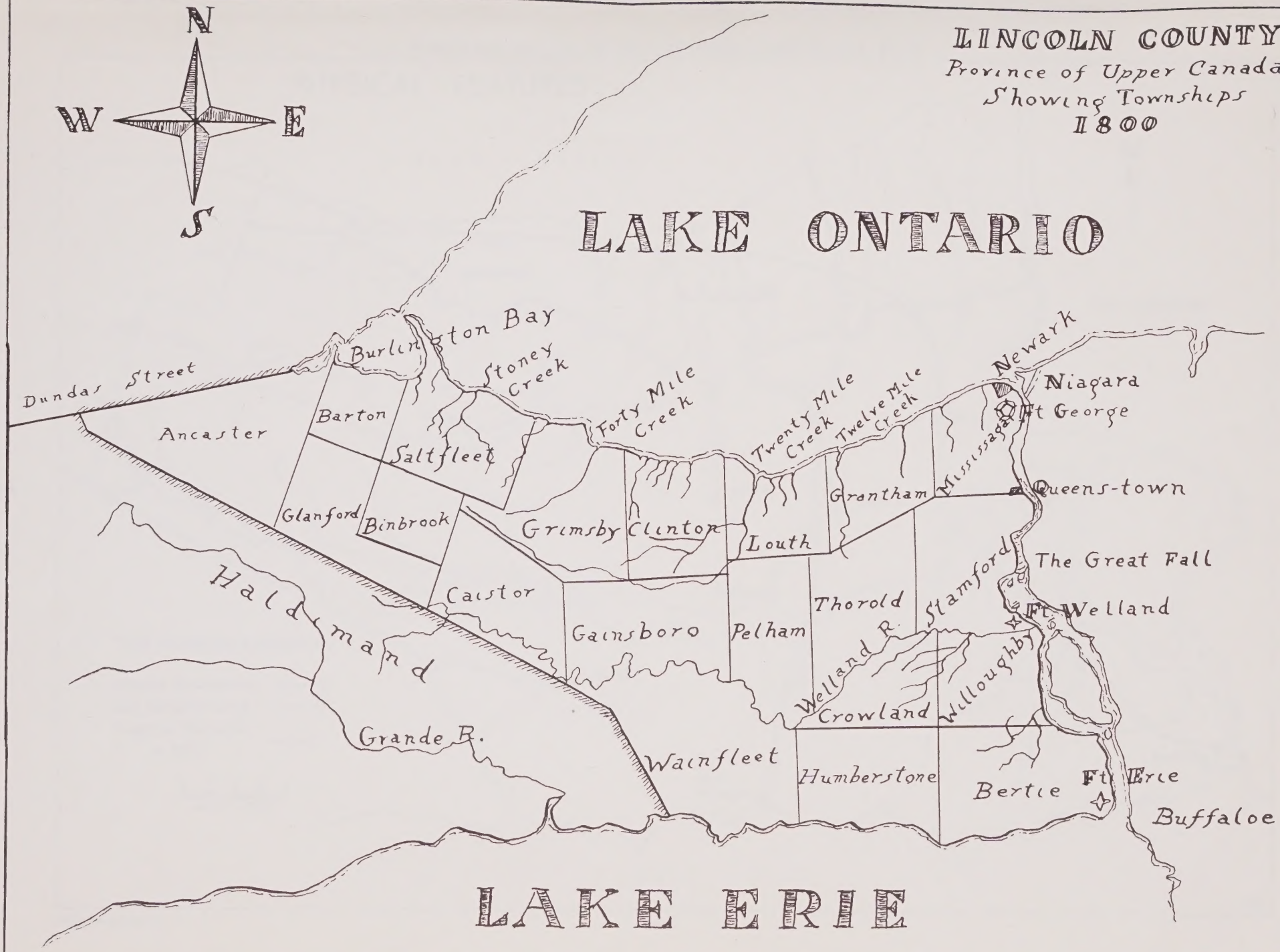
MAP 4 - 1966 Pre-Region Municipal Boundaries

MAP 5 - 1970 Niagara Region Municipal Boundaries

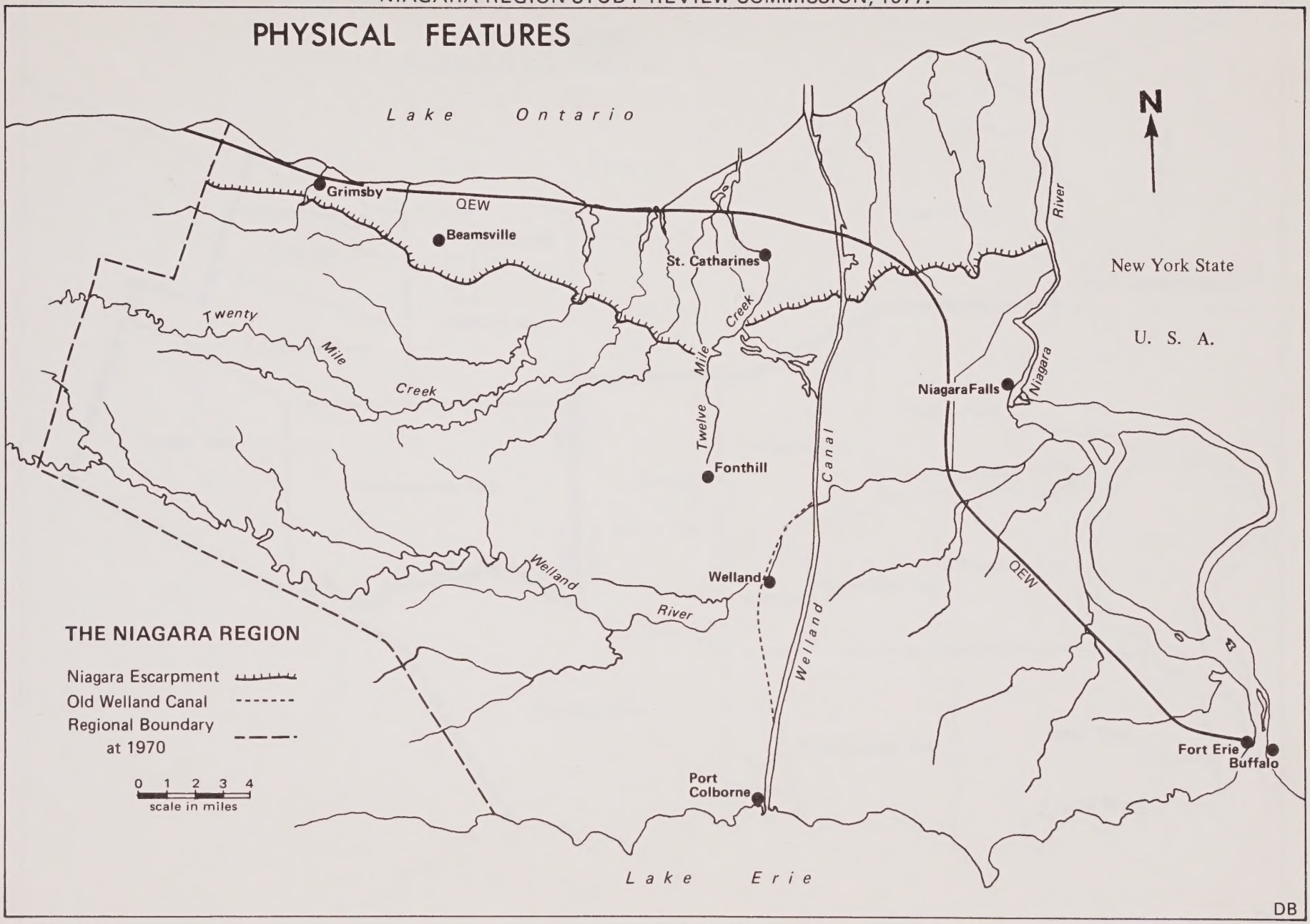
MAP 6 - 1977 Proposed Municipal Boundaries

MAP 7 - Regional Niagara Communities

MAP 8 - Municipal Boundaries of the Proposed City of Lincoln

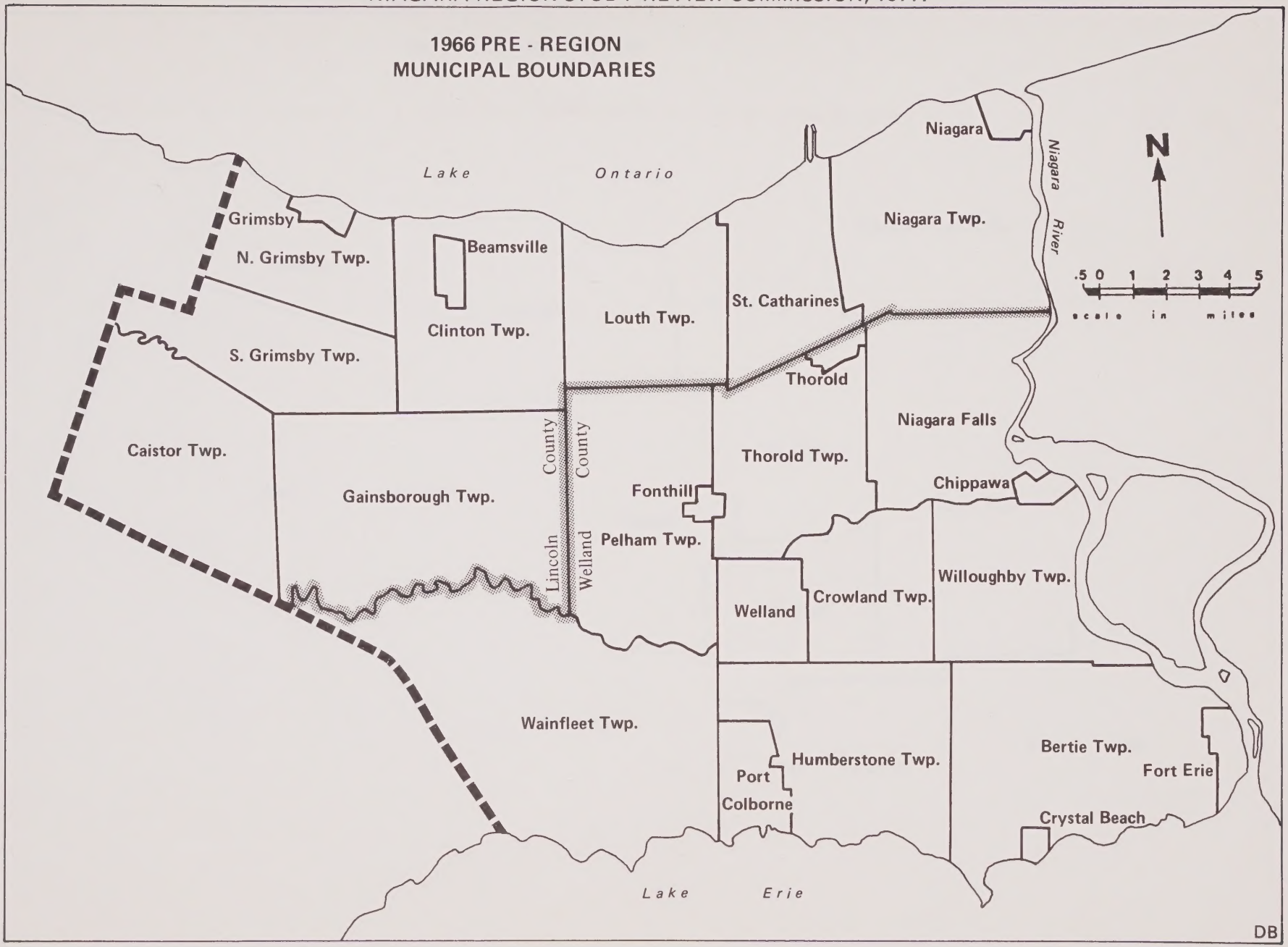

LINCOLN COUNTY
Province of Upper Canada
Showing Townships
1800
N
W
E
S
LAKE ONTARIO
Dundas Street
Burlington Bay
Stoney Creek
Forty Mile Creek
Twenty Mile Creek
Twelve Mile Creek
Newark
Niagara
Ft George
Mississagay
Queens-town
Ancaster
Barton
Saltfleet
Glanford
Binbrook
Grimsby
Clinton
Louth
Grantham
The Great Fall
Stamford
Ft Welland
Thorold
Pelham
Gainsboro
Caistor
Haldimand
Welland R.
Willoughby
Crowland
Grande R.
Wainfleet
Humberstone
Bertie
Ft Erie
Buffaloe
LAKE ERIE

Map Number 2


PHYSICAL FEATURES
Lake Ontario
N
Grimsby
QEW
Beamsville
St. Catharines
New York State
U. S. A.
Twenty Mile Creek
Twelve Mile Creek
Niagara River
Niagara Falls
Fonthill
Welland Canal
Welland River
Welland
QEW
Fort Erie
Buffalo
Port Colborne
Lake Erie
THE NIAGARA REGION
Niagara Escarpment
Old Welland Canal
Regional Boundary at 1970
0 1 2 3 4
scale in miles
DB

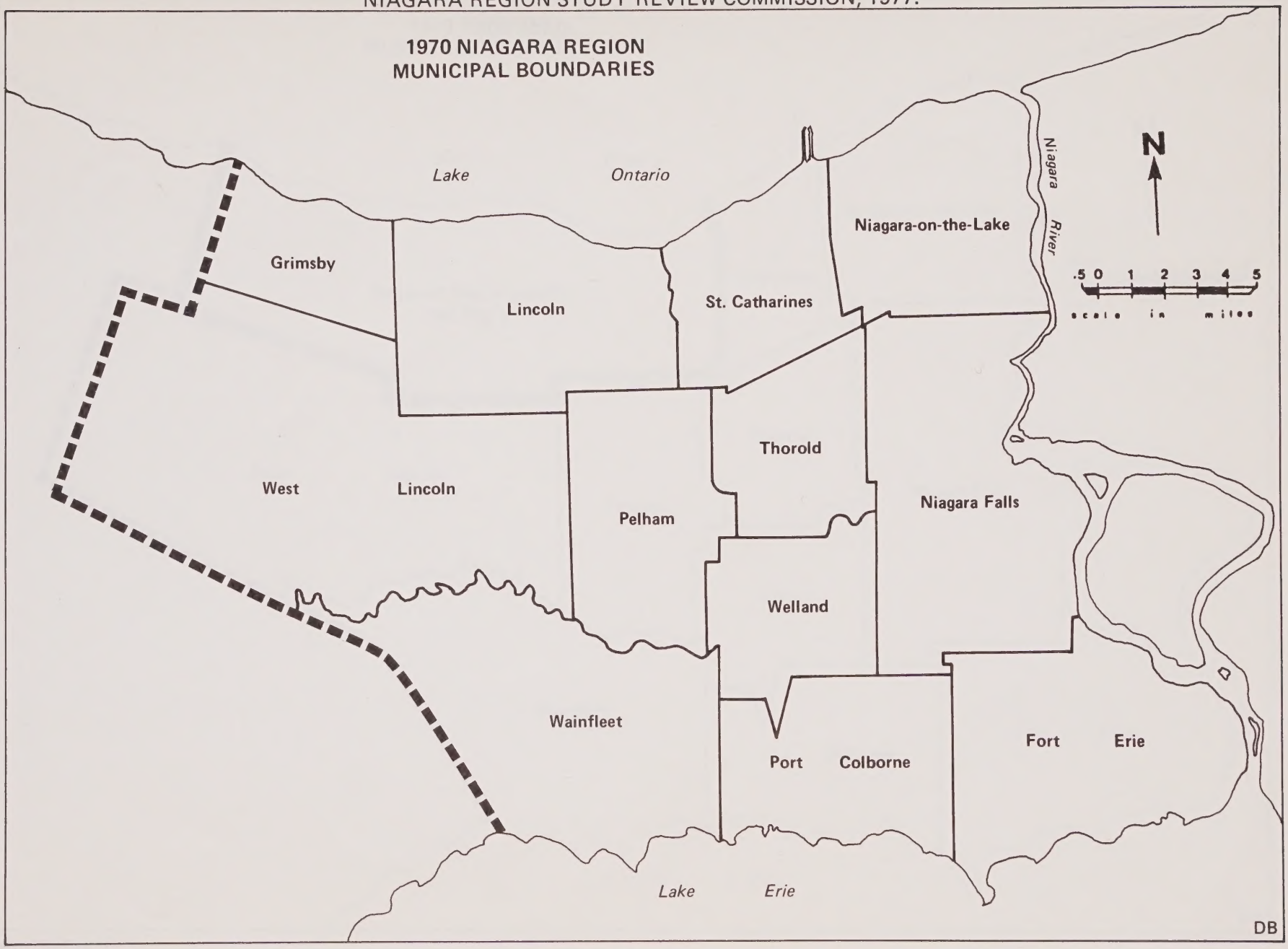
Map Number 3

NIAGARA REGION STUDY REVIEW COMMISSION, 1977.



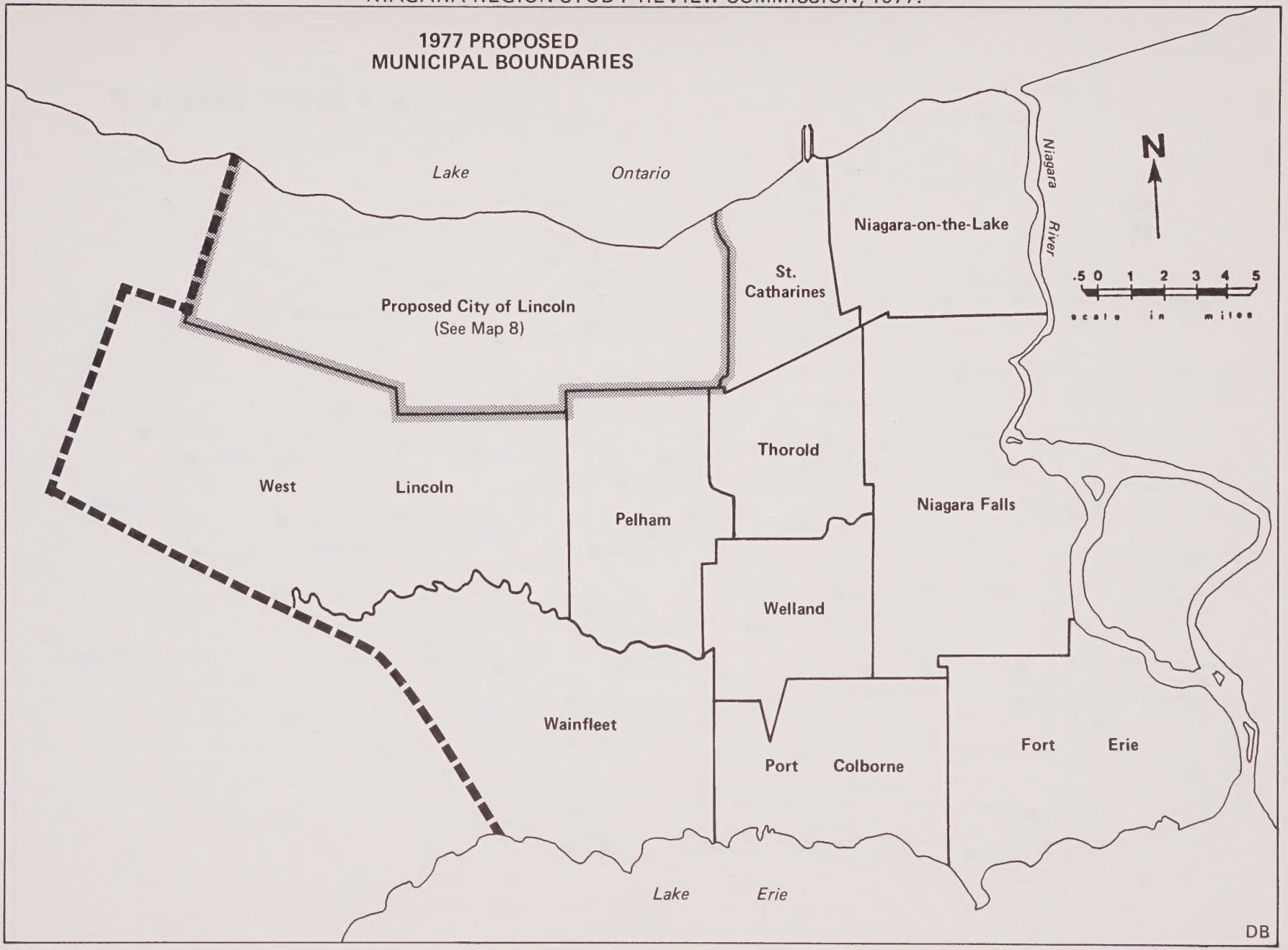
Map Number 4

NIAGARA REGION STUDY REVIEW COMMISSION, 1977.



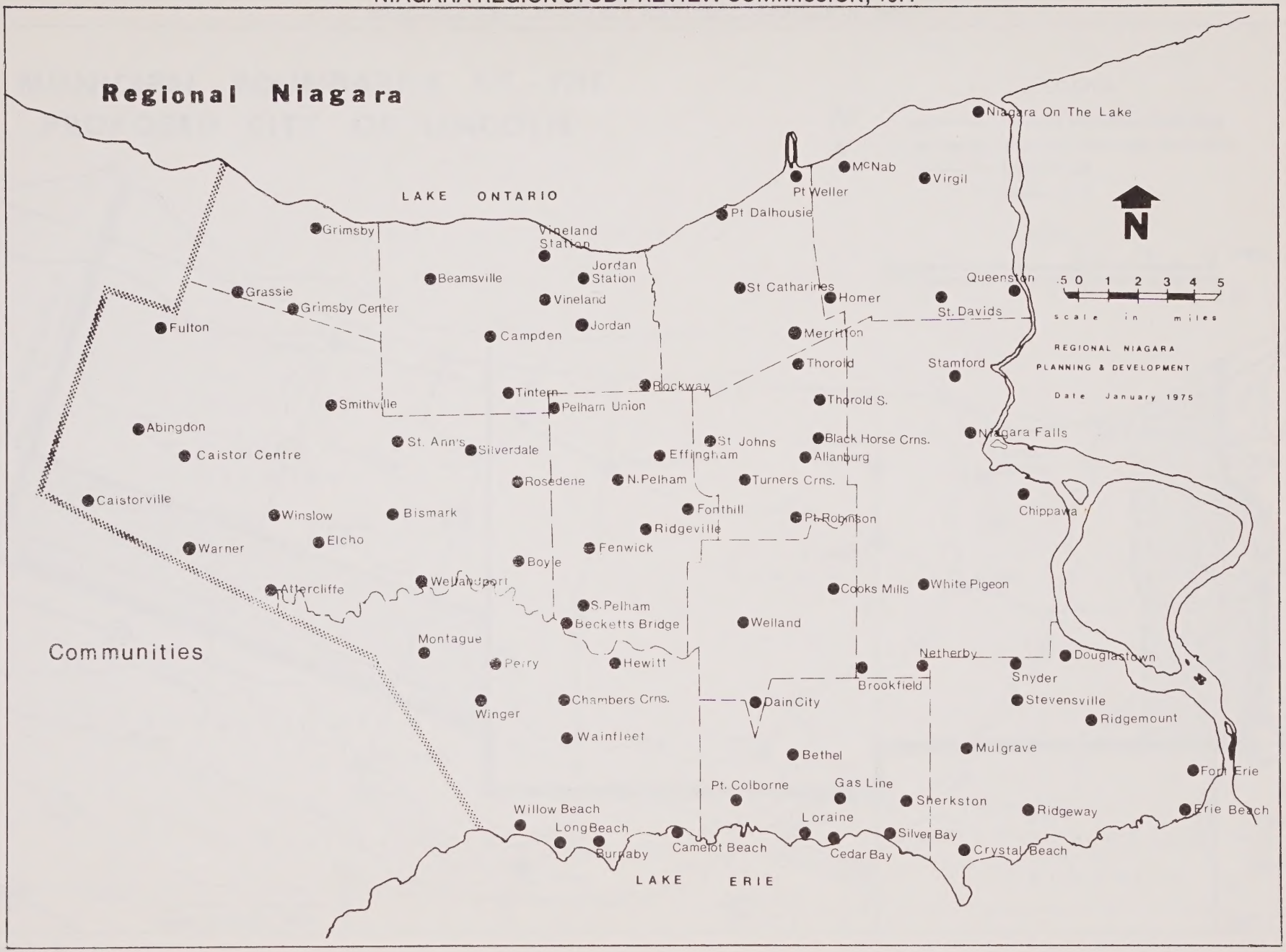
Map Number 5

NIAGARA REGION STUDY REVIEW COMMISSION, 1977.

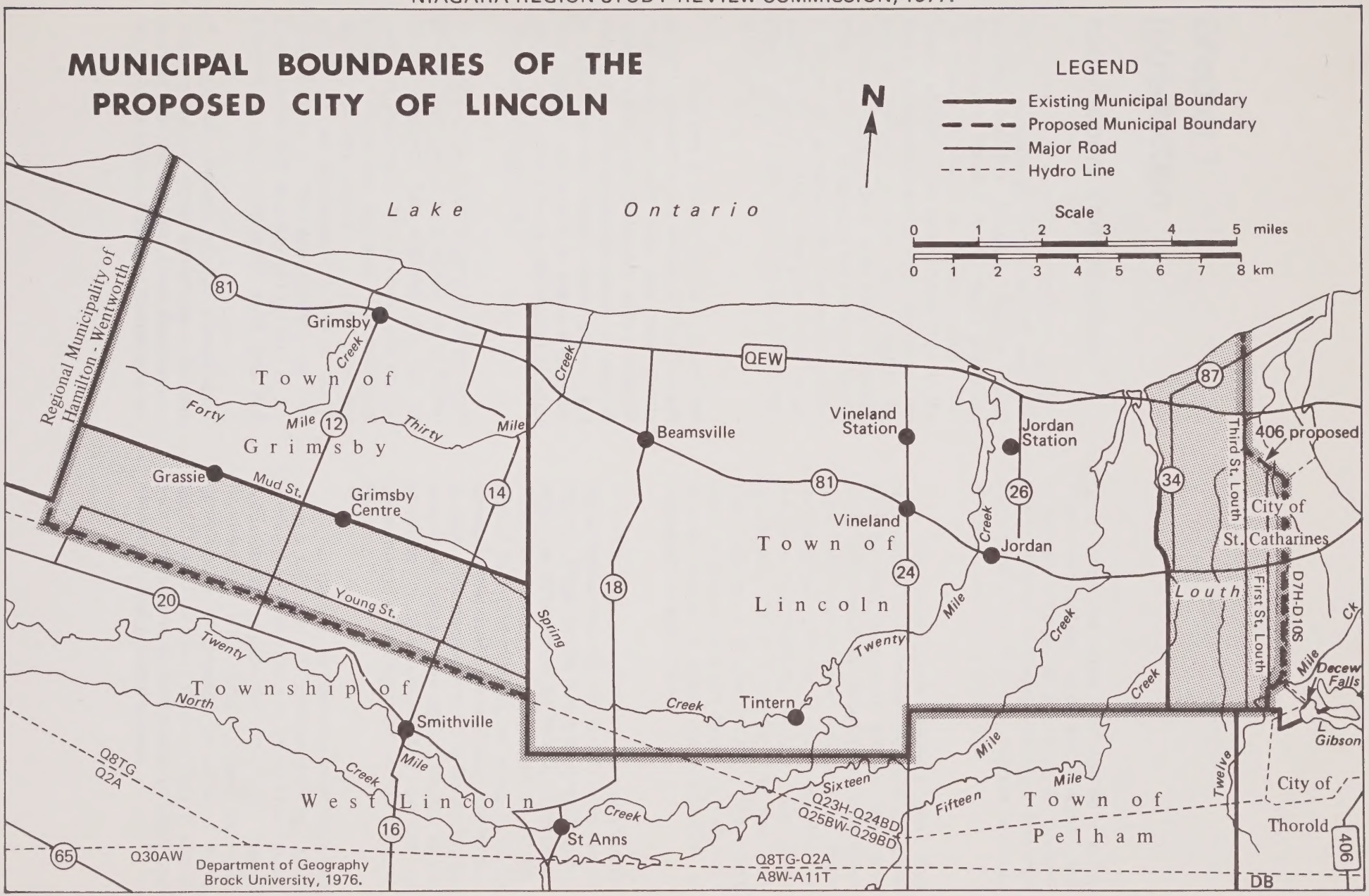


Map Number 6

NIAGARA REGION STUDY REVIEW COMMISSION, 1977



Map Number 7


MUNICIPAL BOUNDARIES OF THE PROPOSED CITY OF LINCOLN
LEGEND
Existing Municipal Boundary
Proposed Municipal Boundary
Major Road
Hydro Line
N
Scale
0 1 2 3 4 5 miles
0 1 2 3 4 5 6 7 8 km
Lake Ontario
Regional Municipality of Hamilton - Wentworth
Grimsby
Creek
Town of Grimsby
Forty Mile Creek
Thirty Mile Creek
Grassie
Mud St.
Grimsby Centre
Young St.
Twenty Mile Creek
Township of West Lincoln
North Creek
Smithville
Spring Creek
Beamsville
Tintern
St Anns
Vineland Station
Vineland
Jordan Station
Jordan
Town of Lincoln
Sixteen Creek
Fifteen Mile Creek
Twelve Mile Creek
Town of Pelham
City of Thorold
Third St. Louth
First St. Louth
Louth
406 proposed
City of St. Catharines
D7H-D10S
Decew Falls
L Gibson
Ck
QEW
81
87
34
26
24
20
18
16
14
12
65
406
Q8TG-Q2A
Q30AW
Q23H-Q24BD
Q25BW-Q29BD
Q8TG-Q2A
A8W-A11T
DB
Department of Geography
Brock University, 1976.

Map Number 8

Chapter 1
Introduction

COMMISSIONER'S INTRODUCTION

The basic formula for regional government in Niagara as it now exists was first outlined by the Niagara Region Local Government Review, in the report presented by Henry B. Mayo in August 1966. This report stated: "We recommend that at the end of a stipulated period - say ten years - the entire working of the new system be reviewed, as was done with Metro Toronto. There is a lot to be said for such periodical reviews, as a matter of provincial policy, particularly in these changing times when new forms of government are being explored and tried."*

With this in mind, the Commission has sought to examine the effects of the changes that have occurred over the past twenty years in the Niagara Region, with particular reference to those brought about, in part, as a result of the Mayo Commission. My Commission has sought to prepare a report which is neither a mere description of what has been nor of what is.

While this report is very much the work of the Commission as a whole, as Commissioner I accept full responsibility for its contents, especially for any faults and errors, of which there may be many. The beneficial aspects of this report - I trust they are numerous - are attributable to ever so many. This report is the achievement of the Commission staff who has put up with all my idiosyncrasies; the research staff who dug deep, produced ideas and spared neither time nor effort; and the elected and appointed officials at all levels of government, who so willingly provided information, comments, minutes, reports and responses to our many questions.

The constructive aspects are also attributable to the many people of Niagara who, by their comments, letters, telephone calls, attendance at meetings, and discussions with us in their homes, in their communities, and at a large number of events in the Niagara Region, have given generously of their thoughts, their time and their interest in the community. The direct input of these people has been of a high level and has helped to make the production of this report an easier task.

The members of the media also share in these achievements. In Dr. W. H. N. Hull's report, Mass Media in the Niagara Region, they are referred to as the 'gatekeepers'. They have broadly disseminated the activities of this Commission, covering both its strengths and weaknesses. They have helped to inform the people about this Study Review and, in so doing, have again brought to the attention of the public the system of government which operates in the Niagara Region.

For myself, as Commissioner, this has been a new and difficult undertaking, quite different from the tasks to which I have been accustomed, except for the very heavy involvement with local government and government in general in which I have participated for many years. In fact, it was in Montebello Park, St. Catharines, in 1932, that I heard my first political speech.

---

* Page 66, *Report of the Commission, Niagara Region Local Government Review,* August 1966. H. B. Mayo, Chief Commissioner, C. Frank Moore, Assistant Commissioner.

My own background which has been political rather than academic, may have led obviously to a different approach as a Commissioner. I have emphasized informality, have sought to be freely available and to be out among the people. Government is for the people, and it is to the people that we have gone to seek their views and their comments on the subject matter of this report.

THE STUDY REVIEW: INITIATION AND PURPOSE

As early as 1971, the City of St.Catharines proposed secession from the Region. The Province responded by sending a task force from the then Department of Municipal Affairs to visit the various municipalities throughout the Region and by granting additional funds to the Region and to some of the area municipalities. The idea of secession was replaced with a request for a review.

At a meeting of the St.Catharines City Council on December 3, 1973, a motion was passed requesting the Regional Council to petition the Government of Ontario to undertake an independent and objective study covering all aspects of the regional system and its operations in Niagara. This study would allow the Government of the Region and the area municipalities to submit both suggestions and recommendations.

Regional Chairman John E. Campbell acknowledged receipt of the resolution in a letter dated December 27, 1973. At the Regional Council meeting of February 7, 1974, a motion to respond to the request from the Council of the City of St.Catharines with respect to a review of the regional system was entertained. Two resolutions were voted down - that the 1975-76 Regional Council deal with the matter, and that any study undertaken should be completed in the year 1975. The Regional Council did decide, however, to select a special committee of regional councillors to undertake an in-depth review and assessment of the regional system from its inception and to produce a report as expeditiously as possible. Additionally, a request was made to all area municipalities to undertake a similar study and to forward their suggestions for improvements to that special committee of the Regional Council.

At the Regional Council meeting of May 16, 1974, a motion was carried requesting the Regional Chairman to appoint a chairman and a special committee of councillors to undertake a study of regional government. At the Regional Council meeting of June 20, 1974, Councillor M. F. (Red) Hatch gave notice that at the subsequent meeting he would present a motion requesting the Province of Ontario to commission an in-depth study of the Regional Municipality of Niagara. The agency to be appointed was to be independent of any level of government and the terms of reference, to be developed by the Province, were to be submitted to the Regional Council for comment prior to the appointment of the agency.

At the July 4, 1974 Regional Council meeting, the Hatch proposal was carried with an amendment that all area municipalities be provided with the terms of reference so that they too might make official comment. On August 29, 1975, a letter from the Minister of Treasury, Economics and Intergovernmental Affairs, W. Darcy McKeough, to Regional Chairman John E. Campbell announced the appointment of William L. Archer as Commissioner.

Simply stated, the purpose of the present Niagara Region Study Review Commission is to examine the structure and

operation of government within the Regional Municipality of Niagara and to make recommendations for improvement based on the premise that the public interest is best served when new forms of government, in this case regional government, are evaluated from time to time.

When making the request for a study review, the municipalities had asked that they be consulted with respect to setting the terms of reference. To the best of the Commission's knowledge, such consultation did not take place. This point was subsequently raised to the Commissioner by various members of the Regional Council. However, the Commissioner informed them that although the terms of reference were virtually all-encompassing, he would be prepared to entertain any suggestions for change and to recommend a further broadening of the terms.

Since the work of this Commission represents a second generation regional government review, the purpose is not to examine the feasibility of setting up a regional government , but rather to evaluate, in the light of announced provincial policy, the functioning of a particular region. Thus, the results of this study may be of interest, not only to the Region of Niagara, but also to the Government of Ontario and the governments of other regions now in operation.

TERMS OF REFERENCE

While the Province did not submit the terms of reference of the Niagara Region Study Review Commission to either the Regional Council or the local councils, they are, in fact, comparable to the terms of reference given to the Royal Commission on Metropolitan Toronto and the Review of the Regional Municipality of Ottawa-Carleton.

Furthermore, it should be emphasized that the goal of the review is to develop recommendations which presumably are to be considered by the Regional Municipality, the area municipalities, and the Province. The Province has indicated that there will be consultation with the Regional Municipality and the area municipalities concerning such recommendations, before any action is undertaken.

The breadth of the terms of reference has provided the Commission with an opportunity to examine any and all matters at any level of governmental responsibility so long as they are relevant to the structure and function of municipal government within the boundaries of the Regional Municipality of Niagara. This report attests to the Commission's literal interpretation of that mandate.

While not limiting the generality of the terms of reference, the study has focused on improvements that could be made to the present system of government based on such criteria as accountability, responsiveness, communality, effectiveness, responsibility and accesssibility. To this end the Commissioner was empowered and instructed to examine, evaluate and make appropriate recommendations on the structure, organization and operation of local government within the Regional Municipality of Niagara, including all municipal governments, boards and commissions. Specific reference was made to such factors as projected social and economic conditions; the appropriate division of responsibilities and functions among the Province, the Region, the area municipalities and all local boards and commissions; the appropriate systems of representation in the regional area; the relationships between the members of the various municipal councils and the electorate; and the relationship between revenue and expenditures among the Region, area municipalities and special-purpose bodies.

THE COMMISSION'S APPROACH

The approach taken by this Commission reflects the Commission's perception of its task: by examining past performance and assessing present operations of the governments in the Niagara Region, to propose a structure of government for the uncertain future that would be in the best interests of all the people of Niagara, both present and yet to come.

The Commission placed a high priority on public participation and involvement in its activities, in addition to the more conventional research and analysis.

As opposed to publishing comprehensive data which may have been of more interest to a certain segment, the Commission sought to communicate with a broad cross-section of the Region's citizens on basic issues and in understandable terms so that as many people as possible could participate in the deliberations. To this end, information pieces were mailed to more than 700 people and representatives of government, and other material was distributed both at public meetings and through libraries. (Appendix 2 outlines the extent of this effort.) The Commissioner made himself available not only to elected and appointed officials of the Region but to many other groups and individuals. Not only were frequent public meetings and hearings held by the Commission, but they took place in libraries, churches and community halls which were more familiar to the citizen than municipal council chambers. Meetings were advertised in the media and every effort was made to provide a channel of communication for residents of the Region. While in many instances the turnout was not as great as had been hoped, the Commission was more than satisfied with the quality of the input.

Public meetings and hearings were not the only sounding-board for public opinion. A wide range of community events were attended by either the Commissioner or the Commission Staff. (See Appendix 5.) Insight gained at these events about the ideas, thoughts and feelings of the people of the Region was invaluable in the preparation of this report. The Commission solicited and received essays from high school students which ensured that the opinions of the Region's youth were represented.

At community events and discussions with many individuals from the Region, the Commissioner played an important role which he saw as that of a catalyst, as well as an investigator. He attempted to shake up the more lethargic attitudes toward government within the Region and, indeed, found widespread evidence of a lack of public enthusiasm, commitment and motivation. Perhaps the Commission and its activities during the past months have been instrumental in generating renewed interest in the affairs of local governments.

The Commission provided toll-free telephone service within the Region with facilities to record comments of callers when the office was unattended. The Commission also subscribed to the three daily newspapers and the eight weekly newspapers published in the Region.

In order to become more personally familiar with the Region, the Commissioner undertook to tour the area by car and helicopter and talked with people in the streets and public places to learn of their reactions. He visited private homes and attended group meetings throughout the Region.

At the municipal level, informal meetings were held with each of the twelve area councils and the four area school boards. These meetings were conducted without

agendas and provided an early exchange of information about the Study Review and its relevance to problems and issues in the municipalities.

The Commission requested and received copies of municipal records and minutes, as well as copies of all materials issued to councillors over a specified period.

The Commission also sought the provincial viewpoint. Discussions and meetings with various provincial officials took place at different times during the preparation of this report. The intent was to clarify the role and function of provincial departments, agencies and commissions where the Region of Niagara is concerned. The Commission held meetings in Thorold with the liaison representatives appointed by the Province to interact with members of this study and also met with those conducting county restructuring studies at the same time.

With respect to public involvement, the Commission attempted to maintain an air of informality around its hearings. A definite procedure was followed to encourage briefs and submissions. Those concerned were asked to advise the Commission by mid-January 1976 of their intention to submit briefs. After clarifying the extent and nature of these briefs, appropriate dates were set for public hearings. Written briefs were submitted to the Commission prior to the public hearings and adequate advance notice of the various hearing dates was given.

Time was permitted at these meetings for others to come forward to make a comment or raise a question. The Commission's goal was to get as much information as possible and hopefully, in an orderly manner. Thus, informality prevailed.

The Commission isolated what might best be described as the more evident and pressing problems and issues in the Region and published separate studies on them. (See Appendix 2.) These studies should be construed as an integral part of the Commission's work and this final report should be read with the full knowledge of the information, observations and recommendations contained in the separate studies. While background studies are standard fare for local government reviewers, the Commission took a unique approach to its studies. The Commissioner gave free rein to their authors to conduct research and form opinions independently. Thus, some of the conclusions that are set out in the background studies may differ from the recommendations of this report. The Commissioner recognizes that most problems usually have many potential solutions and deliberately programmed separate background studies so that their alternative suggestions could be assessed also by those who will make the ultimate decisions. The studies, as a whole, have taken a critical, yet reasonable, view of the problems and issues within the Niagara Region.

While the Commission has noted the successful aspects of Regional Government - those matters which are running well and causing neither problems nor difficulties - its focus has been more on what might be said to be the problems and issues, and its goal has been to seek possible solutions that might be practical and acceptable to the people of the Niagara Region, not only for the immediate future but for the period ten to fifteen years hence.

LOCAL GOVERNMENT IN ONTARIO: THE LAST 25 YEARS

During the last 25 years, the Government of Ontario has actively sought to restructure local government institutions so that they can better deal with contemporary problems. The first major step was the creation of the Municipality of Metropolitan Toronto in 1953.

In March of 1965, the Select Committee on The Municipal Act and Related Acts, better known as The Beckett Committee, issued its final report which recommended, among other things, that "larger units of local government, designated as 'regional', be established with suitable boundaries having consideration to population, assessment, logical planning areas, watersheds, and economic and social conditions." The Committee thought that the county should be used as the basic unit wherever possible with the inclusion of cities and separated towns. The county was to be given exclusive powers over assessment, taxation, planning, arterial roads, public health, hospitals, welfare and policing.

In 1967, the Ontario Committee on Taxation issued a three-volume report. The Smith Report, as it is sometimes known, noted that "the development of larger units of administration would go furthest to reduce the problems of imbalance in the local tax base." It further recommended a system of regional government for the entire Province. This system featured 22 regions of three types: metropolitan urban, county and Northern Ontario. In general, the Committee proposed that the regions be responsible for assessment, tax collections, capital borrowing, planning, arterial roads, public transit, sewage treatment, water supply, health and welfare.

It is useful to repeat one of the observations of the Smith Committee: "The concept of regional government has become accepted in this Province and this acceptance has obviated the need for protracted studies. The briefs received by your Committee, the representations made to your Committee and the discussions within your Committee demonstrate that the accent has shifted from acceptance of a study of the question to a positive desire for action in the near future." When these words were first published, the Province had already embarked upon its program of local government reviews.

The growth point concept as the basis of regional economic development was the key element of Design for Development, Phase I, issued in 1966. To quote a senior provincial civil servant: "This concept has very significant structural implications for local government. In brief, the economic growth generated in an urban community will be a real benefit to the surrounding area only if there is a close structural tie between all local governments in the region surrounding the growth centre."

Phase II of Design for Development was enunciated in 1968. Eight criteria were used to judge the validity of a regional government proposal, the first five of which were the same as those contained in The Smith Report. The criteria are as follows:

- A region should show a sense of community;
- A region should have a balance of interest;
- A region should have an adequate financial base to carry out regional services at a level satisfactory to the people of that region;
- A region should be large enough to efficiently handle municipal responsibilities but not so large as to make intra-regional communication difficult;
- Regional boundaries should permit the optimum in co-operation with neighboring regions in matters of mutual concern;

- The Provincial Government, in formulating these regional government proposals, should work with the communities involved to the greatest extent possible in developing plans for each specific region;
- The Provincial Government should try to establish regional boundaries that are usable by other institutions such as the administrative boundaries for provincial departments;
- In areas where there will be two tiers of government, a smaller local unit should be designed according to the same criteria applied to the regional units.

The second phase of Design for Development advocated a minimum population of 150,000 to 200,000 for a region and from 8,000 to 10,000 for area municipalities. This concept of regional government was based on the idea of the urban-centred region. A region was conceptualized as having an urban centre with an adjacent rural territory. The idea of city and country as two separate and distinct societies was being abandoned.

In 1972, Phase III of Design for Development in which the Provincial Government reaffirmed its commitment to local government reform was presented to the people of Ontario. It suggested that by 1975 a majority of the Province's population would be under regional systems. The basic thrust of this policy statement was that the Province would seize the initiative with respect to the implementation of regional government.

Political reaction to the initiatives specified in Phase III caused the Province to alter its position. In 1974, the then Provincial Treasurer, The Hon.John White, announced that henceforth the Province would neither undertake a study nor establish a new regional government without the consent and full participation of the municipalities involved. The need to solve the pressing problems generated by urban growth had been the catalyst for the introduction of the regional concept in Ontario. With the major urban areas of Southern Ontario then under regional systems, the Province considered this policy change justified.

The County Restructuring Program, in substance, was quite similar to the regional government program. The initiative for change rested with the local governments, although the Province still exerted a great deal of influence in terms of the funding of any studies, as well as the definition of the terms of reference.

In 1970, the new ministry, Treasury, Economics and Intergovernmental Affairs (TEIGA), was created to help the Province deal more effectively and efficiently with the municipalities. Since its inception TEIGA has pursued three avenues toward municipal government reform.

First, it has sought a better balance in the governing process. By the decentralization of functions, it has tried to achieve a better division of labour between provincial and municipal government. Second, reorganized municipal government units were given sufficient range of inter-related powers and geographic jurisdiction to become governments capable of dealing with modern issues. Third, in order to support this increased responsibility and to give greater latitude to their own priorities, the restructured municipal governments were given increased unconditional financial aid.

To strengthen municipal government further, TEIGA suggested that those Ontario ministries that had decentralized some of their administrative activities into regional offices should also consider the decentralization of related provincial responsibilities. Thus, municipal governments, having been given the authority to deal with problems and issues, would also have to assume responsibility for their decisions and activities.

Finally, TEIGA recommended a review of the Provincial Government's approach to the municipalities within the Province. This review was to be conducted by members of TEIGA, policy bodies and other ministries, as well as representatives of regional councils and regional advisory committees.

THE NIAGARA REGION

The history of the Niagara Region is both long and distinguished, occupying a central place in the history of Ontario. The Region is often referred to as the cradle of "Responsible Government". Many of its communities can boast of significant and colourful histories that have provided a cultural fabric and proud heritage for their residents.

As early as 1626, what is now the Niagara Region was traversed by fur traders and missionaries. The first permanent settlers were United Empire Loyalists, fleeing the ravages of the American Revolution. By 1790, a surveyor had completed a map dividing the Niagara Region into nine townships. The name Niagara is derived from the name of an Indian settlement, Onghiara.

On September 17, 1792, the inaugural meeting of the First Parliament of Upper Canada was held in Niagara. The Governor, Colonel John Graves Simcoe, designated Niagara or 'Newark' as Simcoe called it, the colonial capital. In that same year, he issued a proclamation which divided Upper Canada into 19 counties, one of which was Lincoln County, which extended from the Niagara River to Burlington Bay. While Simcoe named the new counties, towns and townships after English or Scottish counties and municipalities, the term Niagara persisted over Newark.

During the next half century, the size and structure of local governments in Ontario were frequently altered. In 1816, Lincoln County was reduced in size with the creation of Wentworth County, which was composed of the Townships of Saltfleet, Barton, Binbrook, Glanford and Ancaster. The initial form of local government in Niagara, then known as Upper Canada, was the Courts of Quarter Sessions. The Courts were composed of magistrates who essentially performed administrative functions with policies emanating from the colonial government. During the period from 1788 to 1841, when this system of government was in force, colonial leaders were more concerned with the effective implementation of policies than with the delegation of authority to the local levels.

There was dissatisfaction. The first step towards the establishment of a good system of municipal institutions, which had been recommended by Lord Durham, occurred in 1841 with the passage of The District Councils Act. This Act reorganized local government in Ontario, abolished the Courts of Quarter Sessions and transferred their responsibilities to District Councils comprised of elected representatives from each organized township within the district. Although local responsibility was enhanced, the Lieutenant-Governor still retained the power to appoint certain municipal officials, to veto any by-laws passed by the District Councils, and if necessary, to dissolve any District Council.

It was during the decade of the 1840's that the cry for local self-government was taken up by the Reform Party which came to power in late 1848. The Parliament of 1849 was a particularly active one, and the effects of much of the legislation passed in Montreal are still visible in Ontario today.

The Municipal Institutions Act, better known as The Baldwin Act, came into force in 1849. This is the legislation that drastically changed the concept of municipal government in Ontario. It separated towns and villages from townships and replaced the system of District Councils. Specifically, it affected Lincoln County in that it resulted in the incorporation of Niagara, St.Catharines, Niagara Falls and Welland as towns, and Chippawa and Thorold as villages.

To quote Stephen Leacock*: "The Baldwin Act represents the culmination and final triumph of the agitation for local self-government that had, for over fifty years, run a parallel course with the movement for responsible government. In the earliest years of Upper Canadian settlement, the government had been very chary of investing the settlers with rights of local management. Townships indeed existed, but these were merely areas plotted out by the surveyor for convenience in the allotment of land, and were not incorporated units of government. It remained for Baldwin, in one comprehensive statute, to establish the entire system of local government in Upper Canada upon the democratic basis of popular election....

"The township now became an incorporated body with power to construct highways, school buildings, etc., its inhabitants elected five councillors who appointed one of their number to be 'Reeve' of the township, and, in townships having a population of more than 500, another to be 'Deputy-Reeve'. The Reeves and Deputy-Reeves of the townships constituted the County Council and elected from among themselves the 'Warden' of the county."

The 1849 Session of Parliament granted various railway charters, removed the last of the British Navigation Acts, encouraged foreign vessels to enter the St.Lawrence, completed works on the Welland Canal, and inaugurated a new era for shipping trade on the Great Lakes. This marked the first session of the Parliament of Upper Canada in which English ceased to be the sole official language; Lord Elgin read his Speech from the Throne in French as well as English.This was the year that the Parliament Buildings were stormed and the Legislature burned, after the adoption of the Rebellion Losses Bill.

In 1856, Lincoln County was further reduced in size with the creation of Welland County. Each county had a council comprised of one representative from each township, a clerk and a warden. The seat for Welland County government was the Town of Welland. The Lincoln County seat of government, originally located at Niagara-on-the-Lake, was transferred to St.Catharines in 1862, but only after a spirited campaign on behalf of the latter.

The United Empire Loyalists, having settled the region and cleared the land, provided the backbone of the earliest settlements. They had created the rudiments of an economic infra-structure. For many years Lincoln County ranked first among the settlements in Upper Canada. Niagara quickly assumed importance because of its location at the entrance to the Niagara River. At this time, the river was the only natural route open to the West for the fur traders. Water was a key reason for the region's development. Settlers and industry quickly came to harvest the abundance of these waters. The future of many of the area's

---

* *The Makers of Canada Series: The Struggle for Responsible Government;* Volume VIII, University Edition. 1912. Chapter: "Baldwin, Lafontaine, Hincks", by Stephen Leacock. The Report quotes extensively from Leacock, both directly and indirectly, in its discussion of The Baldwin Act and the Parliamentary Session of 1849.

communities was dependent upon location of water routes. In the 20th century, hydro power was produced on a grand scale, enticing more industry and more settlers into the region and solidifying the importance of the region, the province and the country.

The growth of the area municipalities in the Niagara area accelerated rapidly in the post World War II period and it was this growth that provided the impetus to the last major restructuring of government, the establishment of the Regional Municipality of Niagara. In the 1950's and early 1960's, there were many amalgamations and annexations which drastically altered the structure of government in the Niagara Region. Urban growth, cum urban sprawl, had been transforming the region into one giant checkerboard. A regional perspective, which would have enabled politicians and planners to assess the situation from a wider viewpoint, was sorely lacking. Planning, for the most part, did not exist, and where planning procedures were in use, they were usually expansionist and lacking an overall focus. In the period between 1953 and 1964, there were twenty annexation and amalgamation applications presented to the Ontario Municipal Board from the Niagara area.

Between 1945 and 1966, Niagara Falls grew from 1,934 acres to 24,083 acres, an increase of 1,145 per cent; Port Colborne grew from 1,308 acres to 5,984 acres, an increase of 357 per cent; St.Catharines grew from 2,400 acres to 17,000 acres, an increase of 608 per cent; Welland grew from 1,100 acres to 8,358 acres, an increase of 660 per cent. Not only did the counties of Lincoln and Welland lose most of their population, they also lost most of their assessment.

It is within this context that local initiatives favouring restructuring developed. By 1960, opposition to this process of amalgamation and annexation was forming. The initial source of this opposition was the county councils, whose financial bases had been seriously eroded.

By November, 1963, the county councils as well as the councils of Niagara Falls, St.Catharines and Welland, had agreed on the need for restructuring. The Niagara Peninsula Municipal Committee on Urban and Regional Research was a product of this agreement. This Committee was composed of members from the two counties and the three cities as well as representatives from the Department of Municipal Affairs and the Niagara Regional Development Association. The Committee,with the help of a grant from the Canadian Council of Urban and Regional Research, appointed Dr. Henry B. Mayo to design a major study proposal on local government restructuring. The research design was submitted in 1964.

The Ontario Department of Municipal Affairs, on the basis of Dr. Mayo's preliminary study and its own assessment, appointed Dr. Mayo to study restructuring in Niagara. The Niagara Region Local Government Review, otherwise known as The Mayo Report, was submitted to the Ontario Government in August, 1966.

Basically, Dr. Mayo's report called for a restructuring of local government in the region. The new system was to be two-tiered with a regional municipality, four cities and eight boroughs. Membership on the Regional Council was to be made up of those elected directly by popular election and from representatives of the various municipal councils. The Chairman of the Regional Council was to be selected for a term of three years from among the members of the Council. The Regional Council was to have an Executive Committee consisting of four members selected from among its directly-elected members. The functions of the Regional Council were to be those that could

best be performed on a regional basis, which still left a sufficient number of functions for the city and borough councils. Dr. Mayo also called for a two-tiered school system, similar to that established in the Municipality of Metropolitan Toronto.

The Regional Municipality would issue all debentures for all municipalities, school boards and other local special-purpose bodies in the Region and would assume all outstanding school debt as well as all outstanding debt with respect to any municipal assets transferred to them. Finally, the Region would not suffer a reduction in municipal and school grants because of the reorganization of its municipal and school systems.

The period between 1966 and 1969 was characterized by extensive deliberations concerning the recommendations of The Mayo Report. The Intermunicipal Committee consisting of elected and appointed officials from the four cities and two counties, as well as representatives from the Department of Municipal Affairs, met on a continuing basis and played a key role with respect to the implementation of the proposed changes.

In all probability, the provincial election of 1967 slowed the Provincial Government's decision-making process. There was some concern that implementation of regional government before the election might cause the governing party to lose some of its support in that area.

It was not until 1969 that the major recommendations of the Mayo Commission were implemented in Bill 174, The Regional Municipality of Niagara Act. The Bill was passed in 1969 and The Regional Municipality of Niagara came into being on January 1, 1970.

The Regional Municipality of Niagara Act established a two-tier system of local government in order to provide a broader base for directing urban and rural development, providing required roads and improving the controls over the quality of the urban and rural environment. Regional Niagara is a combination of the two former counties of Lincoln and Welland, four cities, five towns, fourteen townships and three villages. The Region encompasses 719 square miles between Lakes Erie and Ontario in the Niagara Peninsula. The Niagara River and the world-famous Niagara Falls form its eastern boundary separating it from the State of New York. With the establishment of the Regional Municipality, the local government boundaries were revised to provide a rational basis for meeting local responsibilities. The number of local municipalities within the Region was reduced to twelve in number.

The governing body, the Regional Council, consists of twenty-nine members, including a Chairman. Membership on the Regional Council is made up of the mayors of the twelve area municipality councils and sixteen other members elected directly by general vote within the area municipalities. Since 1973, the Chairman has been elected by the Regional Council.

The area municipalities are each governed by a mayor elected by a general vote and various numbers of aldermen elected by general vote or by wards.

The Regional Corporation has been assigned all functions and activities which are appropriate for administration on a regional basis and currently has direct responsibility for the following functions: waterworks, regional sewage works, regional road system, health and welfare services, planning, police protection and the issuance of debentures. Those responsibilities of a

local nature have been left to the jurisdiction of the area municipalities.

The assets and liabilities related to the properties designated as being under regional jurisdiction were vested in the Corporation as of January 1, 1970, and all debt service costs in respect of the properties were assumed by the Corporation.

NIAGARA TODAY: SOCIO-ECONOMIC PROFILE

Diversity is the word that best characterizes the Regional Municipality of Niagara. During the past decade, the Region has experienced steady growth and its population now approaches 360,000. This growth has contributed to both rural and urban development, which ranges from the large urban centres of St.Catharines and Niagara Falls to the rural settings of Wainfleet and West Lincoln. Niagara-on-the-Lake, in summer a major tourist attraction, returns in winter to a quiet small town.

Not only is the Region large in territory, but it possesses some striking and imposing geographical features. The Niagara Gorge and the Niagara Escarpment create a distinct break in the topography of the Region. The Escarpment, through its affect on climate is responsible for a large number of frost-free days which are essential for the cultivation of tender fruit crops and thus has contributed to the unique fruitlands of the Region.

There is a broad range of economic activities carried on throughout the Region. Tourism is a major factor in the Region's economy. Niagara's proximity to the densely-populated regions of Southern Ontario and Northeastern United States, along with its varied attractions - historical Queenston and Niagara-on-the-Lake, the Shaw Festival, the honeymoon capital of Niagara Falls, the Falls themselves, and the awesome beauty of the Niagara Escarpment - makes the Region a natural attraction to tourists with diverse interests.

Varied agricultural and related activities are also significant elements of the Region's economy. Tender fruit such as peaches and cherries, as well as grapes from which 85 per cent of all Canadian wines are produced, and the greenhouse industry which includes flowers and special vegetables are major activities in the Region. Poultry, meat and dairy farming also make significant contributions to the Region's economic welfare.

Manufacturing in the Region has gained considerable status in terms of both production and employment. Steel, auto parts, chemicals, textiles, agricultural processing and shipbuilding are some of the industries now prominent in the Region.

Water is a major resource of the Region. The generation of hydro-electric power is also a major activity in Niagara. The Welland Canal system connecting Lakes Erie and Ontario, as part of the St.Lawrence Seaway system, links mid-continental Canada and the United States to the Atlantic Ocean and ports beyond. Shipping-related activities represent a significant portion of the Region's commerce.

As the foregoing suggests, employment opportunities within the Region are diverse. They include heavy industry, manufacturing and service occupations, as well as professional and management positions.

Based on the 1971 Federal census figures, manufacturing accounted for 35 per cent of the Region's jobs, community services 27 per cent and the wholesale and retail trades 18 per cent.

The Region's occupational variety is reflected in its social structure. Today, the Region represents a cultural mosaic similar to the rest of Canada. Initially settled by the United Empire Loyalists, the Region was once a predominantly Anglo-Saxon community. Following the turn of the century and until the beginning of the First World War, there was a major influx of immigrants into the Niagara Region. Among the Region's citizens can now be found people from around the world. The largest ethnic groups are British 54 per cent, Italian 10 per cent, German and French 9 per cent each.

Chapter 2 - Niagara Region: The First Six Years

REGIONALISM: CONCEPT AND IDENTITY

The previous sections of this report have outlined relevant background facts and history. The subsequent sections will make particular reference to those situations where corrective action is required. Key amongst these is a need for clarity in defining the roles and functions of the government within the Region, and for public understanding of the services provided, the costs involved, the sources of revenue and the methods of tax collecting.

This chapter contains the Commission's concept of what regional government could be and might accomplish. It is not a political science treatise, but rather a collection of musings based on observations of Niagara as the Commission has come to know it during the past year and a half.

The structural informality of this section could be a reflection, in its own way, of the first half dozen years of the Niagara Region's existence - an existence which has been too often too vague and usually falling short of the potential which is not beyond its grasp.

Regional government in Niagara has been a success and a failure, both in theory and in practice. Without any question there has been progress in the fields of homes for the aged, sewers, water and roads, and more recently in planning. For the first time in 170 years of government, an actual line has been drawn by the elected representatives to divide the land between urban and rural uses. Had that line been drawn in the last century, it might have been quite different from the line which might have been drawn, say, in the middle of the Great Depression. It too, would have been quite different from that which would have been drawn in 1958, prior to the acquisition of Stamford by Niagara Falls, and of Grantham, Merritton and Port Dalhousie by St.Catharines. Certainly the extension of urban areas has taken away a considerable amount of farmland. The Commission's task is not to determine where boundaries should be, but the structure and process of government with respect to those who make these decisions.

A two-tiered system of regional government is still logical for the Niagara Region. The two-tiered system is designed to allow for the recognition of local interests on a local basis, while at the same time allowing a somewhat larger, but still not too distant level of government to make available those municipal services which benefit more than one municipality. The provision of services for a larger population base and over a larger area makes it possible to provide these services more efficiently and effectively and to realize certain economies of scale. While recognizing that there have been weaknesses at the local, regional and provincial levels in the effective and sensible operations of regional government, the intent and purpose that regional government seeks to achieve and to serve are still viable.

The two-tiered system remains, certainly for Niagara, the most effective way to provide responsible, knowledgeable government on a local and regional basis for the Niagara area. The inclusion of both Lincoln

and Welland counties in the Region of Niagara made sense in 1970 and still makes sense today. While the concept of two-tiered regional government is sound and the values and merits of the regional system are recognized, the implementation of the concept has been weak - serious defects, deficiencies and weaknesses in the operation of this government have been evident. These defects and deficiencies can and must be corrected.

It is worth noting that of the briefs received from the area municipalities, ten of the eleven supported the continuation of the two-tiered regional government system in Niagara. Some suggested that there should be a reduction in the number of area municipalities, but few were specific as to details.

The conclusion of the Commissioner, applying previous knowledge and experience along with an extensive examination of the area in the past several months, including discussions with its people, is that while there are problems that will continue to require solutions, the system of regional government in Niagara is working, if not well, at least satisfactorily towards its objective and that the defects can and will be corrected.

REGIONAL IDENTITY: THE MISSING INGREDIENT

If one were to compare the Niagara Region to other regions of Southern Ontario, he would find that while it is similar in some respects it is unique in others. This Region does not have a strong central base, though the City of St.Catharines would like to cast itself in that role. It is a combination of two counties, an approach previously untried; it is a combination of urban and rural; its economy is a combination of agricultural and very intensive industrial output.

Regional issues have not really come to the fore, despite the fact that Niagara has a system where a large number of its representatives are separately and directly elected to the Regional Council. (In other parts of the Province direct election is considered to be the basis for achieving a regional outlook and a keen and concerned interest in what is happening.) The Region's failure to mobilize public interest in its activities is partly due to the Region's methods of communication with the public and the fragmented forms in which the media exists.

Frequently, a key deficiency of government is a failure of those in office to show to the people what the system is, how it works, how they may participate in it, and how they may know what is actually happening in their government. The element of secrecy that often envelops formulation of government policy, has been enhanced or extended in the Niagara Region by a failure of government, chiefly the Regional Government, to take its message to the people to whom it is responsible.

There is a growing need to set up governmental structures which are able to make decisions and provide services over large territorial areas; the alternatives are the inefficiency of smaller units or the transferring of these functions to the Provincial Government at Queen's park. The need to provide for a structure of government to bring effective and accountable decision-making over larger areas exists now and has existed for many years. Nowhere is this observation more valid than the large Niagara Region which encompasses most of the Niagara Peninsula.

For many generations, the Niagara area was governed by individual cities and rural townships which lacked economic strength, and counties which had little political power and status. The public, and perhaps particularly the politicians of the Region, are coming to recognize that to have a regional government capable of making and implementing decisions on an area-wide basis is a far cry from the county council of other days. The new Regional Government has power, strength and, perhaps even more importantly, a responsibility to exercise that power and to inform the public of what it is doing.

In order for regional government to work in Niagara, a regional identity will have to develop. The governments, the councils, and the people who live in the Region must learn to expand their horizons and be prepared to compromise. Unlike the county council, which did not represent the cities, the newer Regional Council represents all the people and all the territory within the Region. The representatives on the Regional Council must learn to work together, and while they should never forget the area municipalities, they must also learn to think in regional terms. Representatives of rural areas must learn to consider the needs of those who live in the cities, and those who live in the cities must consider the interests of the farm dwellers, for they all live together within the single Region of Niagara. The new Regional Government with its increased power and financial strength has the potential to improve the lot of everyone living in the Region, both urban and rural dweller alike.

It is an interesting fact that the average age of those serving on the Regional Council of Niagara in 1976 was over 55. This is an indication of the need for a shifting of the responsibility of government to a younger generation. Perhaps the reluctance to concur in the transfer of power from the local municipalities to the Regional Government has something to do with the age of the representatives. It is just possible that some new and younger blood would bring new life and initiative to the Regional Council.

Far too often, it appears that decisions by the Regional Council are made in a cozy fashion prior to its formal meeting and without the full and open debate that should take place. This may be due to a lack of firm and visible opposition, members insufficiently prepared to ask questions, or what might even be worse, and perhaps truer, members who are not fully cognizant of the ramifications of matters that are before them. The Commission's examinations have revealed many examples of issues where the Councillors had little knowledge of what they have considered and then passed.

From the outset, the Council has suffered because it has rejected any effort to have a committee to co-ordinate its own activities. The four committees of Council were permitted to function independently, with the result that each often did not know what the other committees were doing. The political weight has been carried by three or four members of Council who probably have been unwilling to alter the system because it has served their purposes so well.

The Commission recognizes the existence of such political clout, and concludes that upon its holders must fall the responsibility for the Region's failure to achieve an identity, for the Region's failure to inform the electorate of its operations and activities, and for the Region's failure to do what any government ought - to make its presence known and visible.

Too often, representatives on the Regional Council have said they have acted in certain ways for "us", meaning their own community, and not the Region as a whole.

They have literally allowed the Regional Government to get lost in a factory on Berryman Avenue, for only by finding the right door and the right stairway can you reach the third floor meeting room in which Council meetings are held. And more importantly, they have failed to communicate to the people of the Region.

THE REGION AND THE PROVINCE

The relationship between the Province, through its various ministries, and the regional governments has yet to mature. Many provincial ministries have not yet fully recognized that there is a new level of government which should be making decisions for the people of its region. Too often, the ministries have wanted to retain for themselves and their departments the power to control and make decisions. The necessary balance will be achieved only when the provincial ministries can furnish information and guidance that enhance regional government without robbing the latter of its autonomy. Elsewhere this report cites instances where ministries have acted with inadequate or incorrect information and injected themselves into matters which are most appropriately left for the Region to handle. In other cases, such as urban boundaries, the Provincial Government has a responsibility not only to lay down general guidelines but also to provide as much detail as possible as to what its actual position may be, and to define that position as clearly as possible at an early stage.

The development of the Regional Official Plan all too clearly illustrates some of the difficulties that have occurred between the Region and the Province.

Provincial/municipal relations have tended to be on a one-to-one basis, that is, the Regional Municipality or a department of the Regional Municipality has been dealing with a provincial agency one at a time in seeking to solve a particular problem. Provincial agencies have also, from time to time, consulted with one department of the Region. However, one ministry concerns itself with transportation, another with water and sewers, another mainly with the preservation of land for agricultural purposes, while none concerns itself basically with municipal affairs - an aspect that so often appears to be submerged in other matters. How well do these departments, themselves, come together and inter-relate on the issues and the potential problems and solutions that they should be considering? Essentially, the Province must recognize in both law and practice that it has created a new government, a regional government, which has power, status, and all of those things which go into making a government. Not the least of these is a feeling of pride and independence.

The relationship between the Province and the Niagara Region must develop to the point where they are working together to prepare various documents such as an Official Plan. It should not be something that simply comes from the Region and goes to the Ministry for approval. The consultation process has to occur throughout, but this must recognize the actual and true status of the Region. If the Province plays down, or continues to play down, the status of the Region, then one wonders if there should be a regional government at all. The alternative would be to set up field offices of the various ministries to follow the direct instructions from the Government of Ontario at Queen's Park in Toronto.

It is a very strong belief of the Commission that it is of vital importance to the people of Niagara for them to have a

strong Regional Government capable of expressing their viewpoint and of fighting for their rights on any issue. The Regional Government must not only be responsible to the people of Niagara, but must also be known to the people of Niagara. It is of the utmost importance that the people of Niagara understand what the Regional Government is doing and contemplating.

The provincial authorities, when assisting the Regional Municipality, must avoid encroaching on the rightful independence and responsibilities of the Regional Municipality. Nevertheless, the provincial authorities must still provide leadership, advice and assistance, both to the Regional Government and to the local municipalities. Too often have requests for information and guidance from the ministries been neglected. Such was the case with the fluoridation question. And, with respect to the Official Plan, there is no question that the responsibility for preparing the Plan belongs to the municipality and not to the Province. However, it is the task of the Province to make adequate provision for all of the relevant information so that the Region has full knowledge of the intentions, policies, and desires of the Provincial Government with respect to those matters that are peculiar to the Niagara Region.

THE REGION AND THE AREA MUNICIPALITIES

With respect to the relationship between the Regional Government and the local or area municipalities, the role of these governments needs to be clarified.While it is possible to assign some subjects or some responsibilities quite separately and distinctly to each of the levels of government, it is not possible to do this in all matters. There are shared jurisdictions such as planning and roads where differences of opinion may arise.

The planning process illustrates this point. A local municipality may have particular views of what may need to be or should be done in a specific location. It is also probable that there are different ways of doing this without contravening or contradicting the objectives and policies of the Regional Official Plan. The Region's Planning Department, with its overall responsibility, may take an approach different to the local planning department's. The Region's key responsibility is to ensure that its comments and recommendations on planning are based on matters which affect the area as a whole and not a particular area municipality. The latter will have to acknowledge that a decision by the Regional Council prevails over the decision of the local council, but the local council should be given every opportunity to decide on the approach which it wishes to take, so long as it is not in conflict with a matter which affects the area as a whole.

In this context, the Commission notes that the Region has had a grim struggle in its planning. Instead of setting up an effective and proper planning department, it survived by hiring consultants when needed. Subsequent to the Stevenson Kellogg Report of January 1975, the Regional Government has achieved a staff capable of handling the problems on an area-wide basis. The Commissioner acknowledges that it is a difficult and arduous task for planners to restrict themselves to the field in which the relative level of government has a responsibility. That is the challenge to the planners at the local and regional levels in Niagara - indeed at all levels of government. That is the challenge which also falls upon those who exercise responsibility at the provincial level. So, in planning, because of a difference in viewpoint, there will have to be an expression of those viewpoints to the public. It is therefore important that, wherever possible, the local municipalities should have their own planning operations and their own staff.

The Commissioner has been advised of the situation in Hamilton-Wentworth where there is one Planning Department even though there are many municipalities. He investigated and found that, while there is a single department, at the Region, a separate and distinct division of that department operates in Hamilton City Hall, not for the Region but for the City. The employees are hired by the Region but costs are paid by the City on a charge-back basis. What appears on the surface to be a single department with a single voice is actually a department that separately services the two levels of government with separate planning operations though there is a joint use of research and planning facilities. Each government has a staff to present its viewpoint with expertise and background to support its position. In Hamilton-Wentworth Region, four other area municipalities have hired an independent planning consulting firm to give them advice from a separate source.

The situation with respect to roads provides a different type of conflict. Very strong suggestions have been made to the Commission that regional roads which pass through the inner central commercial cores of the larger cities should fall under the jurisdiction of those cities. The Commission cannot concur. It does not consider that a regional road ceases to be a regional road merely because of an increase in traffic, either vehicular or pedestrian, or because the area around it becomes built up. The regional roads are there for the purpose of serving the entire Region. The Commission recognizes that this may lead to some conflict. It finds from examination that the difficulties are often few, though they tend to be highly explosive.

Suggestions have been made to the Commission that there is duplication of operations in the provision of road services. The Commission acknowledges that to some degree there may be duplication and overlapping. This arises from a shared operating jurisdiction. The local municipality has a stronger position and a greater say about its local municipality. The alternative would be to transfer the jurisdiction of all roads to the Region. The view of the Commission is that this would deprive those local municipalities of their rightful opportunity to control and direct the situation with respect to many of the roads that do not have and do not serve a regional purpose.

These illustrations of planning and roads jurisdictions have been selected to emphasize the difficulties in defining and clarifying the roles of the Region and the local municipalities. In the case of shared jurisdictions or split jurisdictions, it is important to realize that each of the two levels of government has different interests and different concerns. While on the surface it may appear that there is duplication, this is not necessarily the case. To the casual observer, the degree of duplication may seem to be far greater than exists in actual fact.

The Commission has been most concerned about the communication gap between the Region and the area municipalities, and the aura of secrecy that seems to pervade the formulation of government policy in the Region. The Commission believes very strongly that decisions made by the municipalities and the Region should be made openly, that the material going to committees and Council should be made available to the public and media, certainly to the applicants involved, and to those who are affected by the decisions of the various councils.

There is a concern about the methods of communication between the regional level and the local levels. It appears that far too often the mayors of the local municipalities

have been expected to be the messengers of the Regional Council. The Commission believes that these mayors have much more responsible tasks to perform. It is essential that there be a regular method for conveying information from the Region to the local municipalities relating to decisions and prospective decisions as well as the reasoning behind them. There is also a need for communication between adjoining municipalities as to what is happening within them. There must be greater knowledge, not only for the public, but for the respective councils, about the circumstances that surround the decision-making process and the operation of government.

In assessing the two-tier regional government system in Niagara, it is well to consider some of the arguments that are raised from time to time. Regional government ostensibly is there so that there can be a transfer of jurisdiction on matters from the provincial level to the regional level and possibly to the local level. Progress was made in Niagara on the matter of highway traffic by-laws when that subject was turned over to the Region. However, on the matters of subdivisions and planning, there exists a time lag that can only be explained by the failure to resolve the issues arising from the Regional Plan.

THE AREA MUNICIPALITIES

The Commission believes that there will be more than enough duties for the area municipalities to perform in order for them to maintain their importance as a government and a provider of services to the people. Many of the functions remaining within the jurisdiction of the area municipalities will increase in importance as time passes. The provision of housing will take on greater significance as population grows and available land shrinks. More effective utilization of sewer and water services which are so costly to install, and the maintenance of parklands, particularly recreation areas and facilities, will also grow in importance. Local interest and involvement in recreation and sports should be encouraged and should take a good deal of the local government's time and interest.

The local municipalities also have the responsibility and the task of enhancing, brightening and developing not only their central commercial areas but also the various shopping areas and small units of commercial development throughout the local municipality. Available to the local level of government is the opportunity to locate commercial and industrial sites so that they are close to each other and do not disturb the people in residential areas. The details of local planning are going to become even more complex. The enactment of Section 35a of The Planning Act, giving municipalities who pass the appropriate by-laws jurisdiction over the siting and placing of buildings, will add enormously to the task of local municipalities. Maintenance, rehabilitation and living standards of dwellings are critical and will take time and effort by both officials and elected representatives in order to achieve a satisfactorily high standard. It is vitally important to the social and economic fabric of these communities that they not only enhance their commercial areas but that they maintain in good condition the residential buildings. Many of the buildings are old, but that is no reflection on their quality. Often, they are better built than those of today. However, many need to be rehabilitated and most need to be cleaned up. At the moment, many municipalities operate on a complaint basis. In order to protect the future of their own communities, they should consider changing to a method of area-by-area inspections.

The local municipalities also have their own water and sewer systems. There are problems with overflow, and there is a need to consider additional storm sewer connections to avoid flooding which has occurred all too frequently in the past.

There is the need of supervision and development of roads and sidewalks and of the continuous study of traffic patterns in order to achieve safety for pedestrians and the easy movement of vehicles in order to eliminate congestion.

Welland and Port Colborne have particular problems with vehicular patterns related to the Welland Canal and the attendant liaison with the Federal Government. A strong regional government could do much to assist them, but the essential discussion and determination of the policy and programs to be followed should take place at the local level for the people of Welland and Port Colborne will have to live with the results. This may require a much greater involvement with the public. All too often the Commission has found that the public has been treated in a secondary fashion. As noted elsewhere, the Commission believes that the public should be as fully informed as possible about matters that are coming before council, and not just matters that have been before council.

The Niagara Region in the past twenty years has gone through a period of substantial change. Communities have been blended together into larger cities, rural areas have developed as urban communities, and the two counties have been brought together. These decisions appear to be sensible because of the natural development between the lower escarpment area and the upper escarpment area, between the problems of water and sewage, and the need to bring together the rural and the urban, and to join the people from Lake Ontario to Lake Erie into a common unit in order to solve those problems that affect the entire area.

The Niagara Region contains a larger number of municipalities than any other region in Ontario. It was and is essential that there be local levels of government identified with communities of interest in each area in order to handle local problems - problems which require local rather than regional or provincial solutions.

TAX DOLLARS AND SERVICE LEVELS

In attempting to assess the effects of costs and tax increases, consideration is to be given to the fact that at the time of establishing regional government, municipalities and their departments had differing levels of employee requirements, remuneration and operating situations. In addition, various standards and equipment for common functions were in use in differing parts of the Region. The Region not only had the responsibility to make up these gaps, but found itself having to provide a higher level of services on a region-wide basis. The regional water and sewage system meant increased rates and additional borrowings, with the benefit that raw sewage was no longer dumped into the Niagara River and Welland Canal.

While additional comments on the tax effect are discussed in the section on Municipal Finance, it may be said that the municipal tax burden, when compared with other taxes, has risen more slowly and has resulted in as good or better service levels for the dollars spent by the community. That this is not recognized is probably because of the lack of public knowledge of what the Regional Government is doing. This reflects on the

failure of the Region to communicate. Elsewhere in the report there is a discussion of the communications problem and a recommendation for a communications advisor.

The issue on expense is not necessarily that taxes will be lowered or that the expenses will be reduced, but that there will be a better value for the dollars spent - that in meeting the challenge of providing increased services needed and demanded there will be greater efficiency and effectiveness. The efficiency of providing the service is where the real achievement will come. It is perhaps the time to indicate that no form of government is the panacea for all the ills which afflict human beings. The difficulties of operating a government which involves many people are no less complex - indeed probably far more - than those that the individual has in governing himself.

Frequent complaints are made that taxes have risen because of regional government, with reference to the cost of elected representatives and regional officials. The Commission's conclusion (and it is an old-fashioned conclusion), is that you get what you pay for; sometimes you get a little more and sometimes you get a little less.

With the additional complexities of government there is a need for their staffs to be highly qualified, concerned and knowledgeable. In addition, the elected representatives must have not only the interest but also the time to follow through. The experts should be kept on tap and not on top. To do this is going to require elected representatives who are interested, willing and capable of examining issues, of looking at physical locations, of having time to consult with the people both individually and in groups, and to have a reasonable knowledge of what is actually happening. It is true that this can be carried to either extreme, the hyperactive, over-involved, and busy-body councillor on the one hand, and on the other, the disinterested, ill-informed, and uncaring councillor. It is of the utmost importance that councillors be aware of the consequences of their decisions.

Many people in the community are busy earning their livings, raising their families, paying their taxes and trying to have a little bit of time to enjoy life which is all too short in any event. A great many do not care what happens to the politicians, but it is only reasonable that their rights are as entitled to be respected as are the rights of those who may have an intense interest in the political scene.

Chapter 3
Regional Government

REGIONAL COUNCIL

A major reason for the ineffectiveness of the Regional Council is its failure to provide a visible organizational structure around which to operate.The Council has adopted a cozy, almost invisible, operational style and has discouraged attempts to formalize its activities. Indeed, the most striking feature about the organization of the Regional Municipality of Niagara is the absence of the usual formal mechanisms for integrated management. The Regional Council, being relatively large, requires a co-ordinating committee to integrate its workload.

Eight departments are directly under the Council's control and a number of others report to special-purpose authorities. The Niagara Region relies on management by standing committees which, in turn, operate independently of each other.

From an organizational perspective, the Niagara Region is unique in its approach. The Hickey Report of 1973 recommended that Ontario municipalities with a population exceeding 300,000 employ both a co-ordinating committee and a chief administrative officer. Among regional municipalities, Niagara alone has neither of these mechanisms.

The Commission attaches great importance to the effective administration of staff, policy and operations. This may require a Chief Administrative Officer, or alternatively, a Technical Co-ordinating Committee made up of some of the heads of departments as a group. The important point is operations must be effectively orchestrated and the Region must move in that direction.

The Commission suggests that the Region give serious consideration to utilizing a Chief Administrative Officer or an alternative procedure since experience has shown that some systems can operate smoothly without a Chief Administrative Officer. Both Niagara Falls and St.Catharines have Chief Administrative Officer systems in operation, yet it is clear that it is working more efficiently in St.Catharines. The well-prepared City of London Report* indicates that the Chief Administrative Officer and the Co-ordinating Committee systems can be blended together very effectively.

There is no absolute solution to this problem. The important thrust is for elected officials to continue striving to improve the quality and effectiveness of administrative operations. As long as this is the case, regional officials cannot be faulted. The mistake in the Niagara Region is that the Regional Council has not been striving for these goals.

All too often Council has accepted whispered settlements in the hall just before a committee meeting as an effective method of government in action. Decision by default, arrangement, and unrecorded vote, has been the character of the decision-making process

---

* City of London, Canada, *The City's Policy Making Institutions,* Report of the City of London Management Committee, February, 1976.

in the Niagara Region and can be considered to be one of the major anomalies of government in Niagara.

The Niagara Region, at its inception, disregarded the advice of Mayo, the advice of provincial representatives, and the practical experience of many governments. The group that gathered in 1969 was not altogether familiar with each other. There were prejudices along old county lines as well as urban-rural differences. They came together harboring different interests, fearful of losing control, with inadequate time to know each other and the issues involved.

Today, the opportunity still exists to make the government of the Niagara Region visible, to establish an effective government and to correct the shortcomings that have bedevilled the Region since its inception.

The art of self-denial must be practised by politicians today to give them the ability to make long-term decisions even at the risk of electoral defeat. Politicians cannot concern themselves only with their own needs, but rather with those of their children and their children's children. The Commission is not impressed by longevity in office; it is more impressed by men and women willing to make decisions for the long term and to stand by them despite short-term difficulties. To govern well is not always to make popular decisions.

The Commission recommends the establishment of a Co-ordinating Committee of Regional Council. The need is more imperative in 1977 than it was in 1969. As an example, the simultaneous existence of a Development Division within the Works Department and a Regional Planning Department illuminates the need for a Co-ordinating Committee to effectively rationalize and co-ordinate departmental activities.

The Commission, in anticipation of the concerns of some Councillors that a committee of this sort could come to dominate Council proceedings, recommends that decisions of the Co-ordinating Committee could be amended by a simple majority of the Council.

The primary function of the Co-ordinating Committee is to act as liaison for gathering and presenting information to enable Council to make better decisions and to co-ordinate the acitivities of the various arms of the Regional Government. The Commission realizes that the Province could impose this recommendation but the Province should allow the Region to take the initiative.

The Commission proposes the following Regional Council structure:

The Regional Chairman, to be chosen by the Regional Council, should be an ex-officio member of each committee of Council and sit on every committee. He will be Chairman of the Co-ordinating Committee and have a major responsibility for ensuring that the Co-ordinating Committee serves the purposes of Council. He will sit on Council but without a vote, except in the event of a tie, although he will have a vote on the committees. Should the Chairman represent a constituency, he should then have a vote on all occasions as a regular member.

The position of Executive Assistant should continue to exist at the discretion of the Chairman.

The position of Regional Clerk is very important and the Commission recommends its strengthening. At the present time a deficiency exists because the Clerk in part, with the consent of some Regional Councillors, has not effectively fulfilled the functions that a clerk should.

The Clerk's Department should be responsible for preparing agendas and distributing them far enough in advance of meetings to allow adequate preparation by participants.

The Clerk should keep minutes of all Council and committee meetings together with relevant reports, all of which would then be available for public inspection. The Clerk's Department should also be responsible for communicating the decisions of Council and its committees to all concerned. Too often the department heads fill the liaison function between Council and a committee or between committees or with the local municipalities. The Commission considers the relaying of meeting decisions to be a normal duty of the Clerk's Department.

The Co-ordinating Committee would consist of the Chairman and four members from the Regional Council who, it is suggested, are to be other than the mayors of the area municipalities. They should be chosen at the first meeting of the Regional Council after an election. The Co-ordinating Committee would sit for the same term as the Council, unless the Council, by motion on which fourteen days' notice has been given, decides to terminate the term of the whole Committee. If carried by a majority of *all* the members of the Council, a new Committee would then be elected by Council.

The Co-ordinating Committee would have the overall responsibility of recommending to Council priorities for regional government. More specifically, the Committee would be responsible, among other things, for financial and personnel matters, preparation and submission to Council of by-laws, consideration and submission to Council of all standing committee reports and generally to report on such matters as may from time to time be referred to it by Council.

Any special committees such as the Local Government Management Project Task Force would report through the Co-ordinating Committee. The Co-ordinating Committee would also have the responsibility for the Niagara Regional Tourist Commission and the Niagara Regional Industrial Commission. The Emergency Operations Officer, the Regional Fire Co-ordinator and the Communications Advisor would also report to it. The Co-ordinating Committee would have the responsibility for establishing effective liaison with the Niagara Regional Board of Commissioners of Police and the Niagara Peninsula Conservation Authority. All standing committees of Council would submit their reports to the Co-ordinating Committee before going to the Council for consideration of matters such as finance and personnel.

Given the volume of work to be handled by the Co-ordinating Committee, the Commission is concerned that it should have adequate staff and resources to fulfill its responsibilities. Office and secretarial facilities should be provided for each of the members of the Co-ordinating Committee.

As well, serious consideration ought to be given to providing the Co-ordinating Committee with research assistance. Office and secretarial facilities should also be provided for chairmen of the standing committees. Some secretarial services should also be made available to all councillors.

There can be little doubt that the work of the Co-ordinating Committee will demand a high level of energy and competence from its members. It is perhaps unreasonable to expect that a small group of elected officials can carry out such heavy duties without an on-going support staff. There are a number of ways to provide this requirement.

A possible avenue is for the Co-ordinating Committee to draw upon the skills and talents of existing staff in the various

regional departments, which could serve the Committee well. The workload could increase substantially, thus decreasing both the effectiveness and efficiency in carrying out these and other duties.

An alternate approach is to appoint either a Chief Administrative Officer or a Regional Co-ordinator to work with the Co-ordinating Committee.

A third possibility is the creation of a small research staff. The advantage of having an in-house research group is that it provides the Co-ordinating Committee with an independent source of expertise and advice, without placing a heavy burden on existing staff.

It is up to the Co-ordinating Committee to determine its needs for support services in conjunction with the Regional Council.

The Commission recommends that the membership of the Co-ordinating Committee should include the Chairman of the Council and four members, each of whom should serve on one of the standing committees of Council. These individuals, along with the chairmen of the standing committees, would then form a liaison between the Co-ordinating Committee, the standing committees and the department heads.

Provision should be made that any member of the Council could be present at and participate in the discussions of any matter before any of the committees, including the Co-ordinating Committee, but would vote only on the committee to which he or she has been appointed as a member of Council.

There should be four standing committees of the Regional Council:

The Planning and Development Committee would have general responsibility for planning. The Housing Advisory Committee and the Land Division Committee would report to it.

The Utilities Committee would be responsible for sewers, water and hydro. The Niagara Region - Port Colborne Sewage Advisory Committee and the Water and Sewage Services Committee, formerly PARC Niagara Committee, would report to it.

The Transportation Committee would be responsible for roads and public transit. The Regional Transit Committee would be absorbed into the new Transportation Committee. The Niagara Regional Highways Co-ordinating Committee and other technical co-ordinating committees would report to this Committee.

The People Services Committee would be responsible for social, health and other related services, as well as the proposed Division of Homes for the Aged. Family and Children's Services, the Niagara District Health Council and the proposed Social Planning Council would all report to the People Services Committee.

The standing committees should be composed of not more than nine members, with no member eligible to sit on more than two committees simultaneously. This limitation is necessary to overcome a weakness in the standing committee system as it now exists within the Regional Council.The lack of rotation of committee assignments has led to the development of specific expertise and the cultivation of narrow "committee perspective" approaches as opposed to the desired regional perspective. No doubt this approach has some benefits, but the failure to develop a regional viewpoint is too costly. Also, this limitation will prevent the reoccurrence of the present situation in which a small number of regional councillors share a disproportionately large number of the committee memberships.

REGIONAL CHAIRMAN

The Regional Chairman, as described in the Regional Municipality of Niagara Act, "is the head of the Regional Council and is the chief executive officer of the Regional Corporation." According to William R. Allen, former Chairman of Metropolitan Toronto, the chairman is to be more than a wielder of the gavel; he is to lead, to participate, to give direction and to ensure performance.

The Chairman of the Region of Niagara first was appointed by the Province, and since has been elected by the Council. The current incumbent, a former councillor from the Township of Niagara, faces no major opposition in Council. He lives in the Town of Niagara-on-the-Lake and for many years has served on local and county councils. John E. Campbell is quiet, unobtrusive, and a person who ever seeks a peaceful solution. He has the capacity to meld people together and to make things move along quietly.

John Campbell may have his failings, and he would probably be one of the first to admit them. This Commission recognizes his many strengths and abilities.

At critical times during the first few years, John Campbell held together the many diverse facets of the Niagara Region. Only when one realizes that the Regional Government brought together two counties, four independent city governments and a number of rural areas, each of which was proud of its own identity (and although willing to speak for unity, was quietly acting to preserve its own position) can one appreciate his accomplishments.

John Campbell has personally played a strong and quiet role in the Niagara Region's six years of operations - years in which he held the Region together, made certain key decisions affecting water and sewage, social services, homes for the aged and urban and rural boundaries. A regional structure was built up, albeit slowly, a structure which still remains too little known to the general public. It has been a part of the Chairman's character to seek quiet solutions, and to achieve results unobtrusively, without publicity, fanfare or overt communication with the general public.

Both the Region and John Campbell deserve to be better known, to be better understood and to be more fully appreciated. Greater recognition should be given to the Chairman for the high quality of unselfish service he has and is giving to a government of diverse and strange interests.

In a letter to this Commission dated July 8, 1976, Mr. Campbell took the position that Regional Government in Niagara really consists of 13 councils, namely, the Regional Council and the 12 area municipal councils. If this is so, why has there not been more frequent liaison between the Regional Council and the area municipal councils? Why have there not been combined meetings with the Regional and local councils to facilitate the flow and exchange of ideas? The Commission believes that there should have been considerably more inter-relationships between the local councils and the Regional Council. True, they each have separate responsibilities but in some functions it is virtually impossible to draw clear-cut lines of responsibility. The answer lies in a higher degree of co-operation and co-ordination. The Regional Council's relationship, visibility and rapport with each of the local councils all need to be increased. The Region, like Canada itself, is greater than the sum of its parts.

It should be emphasized that when the Chairman operates and acts, he does so for all the people in the Niagara Region. The

Councillors, too, should not have to be reminded that they are responsible to all the people of the Region - not to an area council or any other group.

The Commission can find little evidence that the Regional Chairman and the Regional Council have taken sufficient positive steps to tell the inhabitants what regional government in Niagara is and has done, and to counter the inaccurate statements which, the Chairman contends, have been made about the issue of duplication. According to Mr. Campbell, these inaccuracies result from a lack of knowledge and confusion in the minds of the public.

No overall annual review has been issued by Council on the operation of the Region. No annual report has been written to present a summary of the activities of the various regional functions. Public criticism of the Region too frequently goes without response. Editorials have appeared containing inaccurate statements for which requests for corrections have not been forthcoming. It is the clear responsibility of government to explain to the public what it is doing and why.

Elsewhere in the report, there are comments about the lack of regional participation in Community Month in Niagara Falls, the lack of stories or information about Regional Government in the special editions of the newspapers in Port Colborne and sometimes in St. Catharines. For instance, the Chairman, in his aforementioned letter, referred to the Regional Council's participation in the provision of water and sewage facilities to the area municipalities as a financial burden far beyond their individual capabilities. This is a major achievement of the Region (it provided facilities so that raw sewage is no longer dumped into either the Niagara River or the Welland Canal) but it is a story that has not been widely told. The Chairman says that the Niagara Region's achievements "are not given as much publicity in the local level as they deserve." Whose responsibility is it to see that they do get attention?

The Chairman makes reference to the severe storm that hit Fort Erie in 1976, for which the Commission carefully reviewed the news coverage. There was little if any mention about the role of the Chairman of the Region. In fact, it was the Chairman who made the decision to place the full facilities of the Region at the service of the local municipality.

The Chairman has commented on the increased cost of providing services and improving service levels. The Commission cannot dispute this situation but questions the steps taken by the Niagara Regional Government to acquaint the general public with reasons behind increased costs and what is being done about them within the Region. The Commission has made inquiries of other regions regarding their provision of information for public consumption. It found that other regions have prepared information for distribution throughout their regions. Hamilton-Wentworth prepared two leaflets which have been distributed across the Region on a householder basis - just one way of informing the people about their government. Government needs a presence and the key responsibility for that falls upon the leader of that government.

Chairman Campbell, in his letter, noted that the Regional Council ought to have more collective influence. This is a recognized fact. It is recognized also that the Chairman himself is highly regarded by many provincial ministers. Although local municipal councils frequently endeavour to sidestep the Region and make appointments to see a provincial minister without informing the Regional Council, the Chairman often has quietly, but effectively, used his influence in the right place to support the local municipal-

ities and this often has proven to be the key to their success. Part of the problem is that some of the members of council in the area municipalities are still not aware of the operating procedures of the Regional Council. The tendency is for the local people to take the credit without acknowledging the assistance.

The office of the chairman is the key position in regional government. The attitude and approach of the incumbent determines the direction in which regional government will move and develop. The Commission hopes that this study review will stimulate considerable discussion of the Region within the Region, and is confident that John Campbell will recognize these issues, will examine them and will make recommendations to the Regional Council to achieve the identity and purpose that could be so beneficial to all of the inhabitants of the Region.

ROLE OF THE REGIONAL COUNCILLOR

The Regional Council is made up of 29 people - the Chairman, the mayors of the 12 area municipalities and the 16 Regional Councillors. Most of the mayors serve full-time because of their workload within their local municipalities and because their scale of remuneration so permits. Due to their full-time involvement in municipal politics, they have a greater opportunity to be more aware of the issues.

The 16 Regional Councillors sit only on the Regional Council; they have varying degrees of contact and consultation with the councils of their own local municipalities. These Councillors are not as representative of the people as might be desirable. As the Region's identity grows, the recognition of regional problems becomes more widespread; and as increased remuneration becomes available for the Regional Councillors, it is expected that more will seek seats on the Regional Council. They should do so with a sincere desire to fulfill a very vital task for the Region. Both the local and Regional Councillors must learn to look beyond the boundaries of their own political milieu and to acquire an awareness of both the local and regional constituencies.

The Region, a multi-million dollar operation, cannot properly be run on a part-time basis. Just as large-scale unions, businesses and agricultural operations are run by full-time decision-makers, so too must it be with the Region. Decisions that must be made will affect the community today and for generations to come.

A well-qualified and informed staff can go no further than help direct the real decision-makers - the elected representatives. On more than the odd occasion, Regional Councillors have made decisions with little knowledge of the particulars, much less of the subsequent implications of their decisions.

In order to do their jobs properly, Councillors must know the area, the people, and the background so they can make decisions that meet the needs and are in the best interests of the people they serve. They also have a responsibility to provide the electors with knowledge and information of what is happening at Council. It is important for them to be accessible to the people for consultation and discussion. Too often it seems, elected representatives tend to make decisions without first taking the issues to the public and seeking feedback. The public should have access to what the elected representatives are saying and doing about the various matters that come before them.

The Commission fully acknowledges that the essence of what it is suggesting could be very time consuming to execute.It will take time for Councillors to acquire the knowledge and understanding of the problems, to obtain technical information from various staff departments and to consult with the people.

The tendency has been to have closed sessions, that is to go into committee of the whole, thus excluding the media and the public. Recently, the Regional Council and its committees have led a movement away from this process of secrecy. Every attempt should be made to have as many sessions of Council, committees and subcommittees held in public as possible.

Those who stand for election for municipal office are deserving of the people's praise. As long as there is an electoral contest, the people have an opportunity to make a choice. To have good people serve on a municipal council is very important for a community. Those who serve in municipal offices deserve more respect and more credit than they get. The media can do much to influence the image of municipal politicians.

While the scope of their power may be restricted by the Province, mayors and councillors can wield an important influence in the development of their communities. A factual, well-documented and properly presented argument can motivate the voter and influence decisions at other levels of government. The voter controls the destiny of provincial and local governments alike. The future of local communities, be they cities or towns, rests primarily in the hands of local elected representatives. Municipal councillors have done much to strengthen the central core areas, develop improved site plan controls, promote urban renewal, and provide for better types of planning. They have led the way in establishing residential and commercial property standards. In the Niagara area, it was the municipal councillors who provided the catalyst for changes in the governmental structure. There is ever so much that can be done within the municipality to improve the general condition of life in a community.

Councillors and citizens alike require accurate information on the workings of government and the roles they might play as participants in the governmental process. The Ontario Municipal Association, in 1966, in conjunction with the Institute of Local Government at Queen's University, prepared a Guide for the Municipal Council and Councillor in Ontario which served this purpose. This publication is now somewhat outdated because of the dramatic shifting of functions from one governmental level to another. This Commission recommends that the Province sponsor an updated revision of this booklet and make it available not only to councillors but to those interested in municipal structure and government throughout the Province. It should be updated by those knowledgeable about municipal activities and then made readily available to councillors and to members of the public at large.

The Commission fully recognizes the time and effort already being given by members of the Regional Council. Its comments have been made to encourage those already active and to urge others to become active. The Commission has had the full co-operation of the Regional Councillors and appreciates their contributions as well as their sincere concern for their community.

Other parts of this report contain specific recommendations. In this part, the Commission would like to commend today's Councillors and encourage would-be councillors, to consider in the broadest perspective, the matters that are coming before the Regional Council. The Commission urges the Councillors to maintain contact with their

constituents, to study the issues so they can cast their votes in a way that each thinks is best. It may not always be the easy way, but in the long run, it makes for better communities.

ROLE OF THE PUBLIC

Many people have much to do in order to carry out their daily routines, look after their families and maintain their homes. It is still necessary for some in the community to be informed about and active in its politics and government. As the need for action arises in various parts of the Region, citizens groups may be formed and other organizations may become involved with the issues. Thus, citizens who have neither the inclination nor the opportunity to serve on council, may still make their political and/or social contributions to the community at either election time or between elections. Occasionally, ratepayer groups, resident groups, special study groups, Chambers of Commerce, labour organizations, church groups or social groups become interested in and take positions on particular issues and in support of or in opposition to local councillors. This type of involvement is frequently illustrated by the individuals who work with such community service organizations as Family and Children's Services or the Niagara District Health Council. This brings together many people with differing points of view, but who share a common goal of trying to do what is best for their community.

It is important that the municipal councils and other community organizations should provide the opportunity for and encouragement to those who volunteer to help with community projects. While these groups may occasionally irritate the politicians, they should be encouraged to speak up on the issues. The expression of many viewpoints will help to achieve a closer proximity to the real answers for the communities' needs.

Let there be citizens' forums, let there always be opportunities for discussion, let there be a flow of ideas and information throughout the Region. But, let it also be remembered that just as there is a time for discussion, there is also a time for decision. People must realize that if decisions are to be made at the regional or local level, then that is where the responsibility for the consequences must lie. To seek local autonomy, and at the same time the power to go to the Minister to override a local decision, does not make for good government. Perhaps the truest test of democracy comes when the people can accept an unpopular decision.

The best time to make changes is at election time when representatives are selected. If a citizen objects to the way government is being run by council, then he can either work for a candidate or stand for office himself.

There are many ingredients in the makeup of good government; leadership and direction from the chairman, knowledge and understanding by the decision-makers - the council, and not the least, a high degree of interest and participation by the public. These three must work together exchanging and adapting ideas to do what is in the best interests of their community. These combined efforts may not achieve exactly what each individual would prefer, but the overall results from government of this type will be best for the people of Niagara.

The pathways toward more successful government may be alluded to in this report. Its achievement can only come from the willingness of the people to do those things which are right and proper and their bounden duty so to do.

REGIONAL ADMINISTRATIVE STRUCTURE

The Commission comments elsewhere on the need for a closely integrated and co-ordinated system of council committees. The thrust of these changes is to equip the Regional Council to carry out its responsibilities more effectively. In conjunction with these recommendations, the Commission recommends certain changes in the departmental structure and organization.

Basically, the proposed reorganization will facilitate political control and direction over the administration, which, if it is going to be meaningful, must be visible. The City of London (Ontario) Report on Government Structure (1976) emphasizes the need for a competent and qualified senior staff. In the future, emphasis should be placed on personnel selection and training. * This is an expansion of a general policy and is not directed at any individual situation. There is also the need to maintain close and constant consultation between elected and non-elected officials as well as with the civil servants of the area municipalities, the provincial ministries and their field offices.

From the Commission's perspective, the intent of establishing a co-ordinated, efficient administrative structure has been summarized by Michael Pitfield in a speech delivered to the Institute of Public Administration of Canada. Pitfield isolates five requirements of effective policy making:

1. communication with the public - a focus for discussion,
2. decision-making - a basis for co-ordination,
3. the administrative process - a basis for resource allocation, management and policy and program evaluation,
4. the personnel process - a basis for the designation in our system of government of individual responsibility and authority and performance assessment,
5. the intergovernmental process - a basis for consultation. *

Bearing these in mind, the Commission envisages the following administrative structure.

While the Commission recommends certain direct reporting lines, this is not meant to preclude departments and agencies reporting to and providing information to other committees from time to time.

The Commission recommends that the Regional Council be given the prerogative, at all times, to establish or withdraw from special-purpose bodies, to create their terms of reference, to provide them with funds and to determine their membership. The Commission recommends that the Niagara Region Tourist Commission and the Niagara Region Industrial Commission as well as all other special-purpose bodies report to the Regional Council through the Co-ordinating Committee.

---

* See also *Managers for Local Government: A Study by the Advisory Services Branch of Ministry of Treasury Economics and Intergovernmental Affairs of 1976* and background study by Professor R. Church: *Municipal Organization in the Niagara Region.*

* Michael Pitfield, *The Shape of Government in the 1980's: Techniques and Instruments of Policy Formulation at the Federal Level* (September 3, 1976). Speech delivered to Annual Conference of IPAC, Ottawa.

Generally, the Commission recommends that all staff departments, such as Finance, Legal, and Personnel report to the Regional Council through the Co-ordinating Committee, while the line departments, such as Utilities, Planning, and Transportation, report to the Council through the various standing committees. These committee reports would be considered by the Co-ordinating Committee and forwarded to the Regional Council.

The Commission has reached the conclusion that for both administrative and organizational purposes, the Region should restructure the Works Department; transfer the water and sewage operations and combine them to form the Utilities Department; combine the present roads with the proposed transit operations to form the Transportation Department; transfer the property acquisitions and maintenance of property to the proposed Property Department and integrate the planning functions of the present Works Department within the present Planning and Development Department. By allocating these functions to these departments, there will be increased opportunities for specialization, and the development of expertise which goes along with it.

The present Works Department has developed superior technical expertise and administrative skills. With the proposed addition of the hydro and transit functions, economies of scale will not be realized to the same extent. The present Works Department has already reached a state whereby it tends to assume responsibility for activities normally outside the purview of a Works Department - ranging from the Local Government Management Project to performing functions normally carried out by the Clerk's Office. One result is that there are now signs that services delivered by the Works Department are less significant than the acquisition of new areas of jurisdiction.

The Works Department is presently performing a co-ordinating role for the Region, thereby filling a large gap. Other recommendations of this Commission create co-ordinating mechanisms such as the Co-ordinating Committee, the proposed Technical Co-ordinating Committee, the Technical Advisory Committee and the strengthening of the Committee of Department Heads which would eliminate the need for the Works Department to fill the co-ordinating role.

With the transfer of the hydro function to the Region, the present Works Department will be turned into a Utilities Department with responsibility for water and sewage services, as well as hydro.

The revised structure for the line departments is set out below. The changes are being made because the Region will be assuming new functions, as well as for sound administrative reasons. Specifically, the Commission recommends that the following departments be established: *

A Property Department should be established which would be responsible for land acquisition, disposition and the maintenance of regional properties. The Property Department would report to the proposed Co-ordinating Committee.

The Transportation Department would have functional responsibility for public transit, roads and traffic. The Commission elsewhere recommends the establishment of a regionally-operated public transit system. Those members of the Works Department,

---

* Table 1, page 36 contains both the existing and proposed structures.

presently responsible for roads and traffic, would be transferred to the new Transportation Department as a result of the reorganization of the existing Works Department. Representatives of the Transportation Department would sit on the Niagara Regional Highways Co-ordinating Committee as well as other committees. The Transportation Department would report to the Transportation Committee of the Regional Council.

The new Utilities Department would have functional responsibility for hydro, water and sewer services, as well as pollution control projects. The Commission has elsewhere listed its reasons for the Region assuming the responsibility for the provision of hydro services. Those members of the present Works Department, responsible for sewer, water and pollution control, would now come under the jurisdiction of the new Utilities Department. The new Utilities Department would report to the Utilities Committee of the Regional Council.

The Planning and Development Department would have the responsibility for regional land-use planning, including the specific task related to the Official Plan, approving subdivision agreements and monitoring the activities of the Land Division Committee and the Committees of Adjustment. Once the Official Plan of the Region has been approved, planning staff would be used to ensure compliance of area municipal plans with the Regional Official Plan.

The planning functions of the present Works Department would be integrated with this department.

A new People Services Department would have the responsibility for providing the services presently offered by the Social Services Department and the Homes for the Aged Department. The Commission recommends for reasons set out elsewhere that these services be integrated for social, political and economic reasons. There would be a Social Services Division and a Homes for the Aged Division within the new Department. The precise structure of this Department will depend on the actions that the provincial ministries take on proposals coming from Sudbury, Halton and Waterloo. Co-ordination and consultation on a wider basis will be possible, and will provide impetus for further advances in the area of people services. The new People Services Department would report to the People Services Committee of the Council.

Other parts of this report contain proposals creating the positions of Communications Advisor, Emergency Measures Co-ordinator and Fire Co-ordinator. Each of these would report to the Regional Council through the recommended Co-ordinating Committee.

The Commission also envisages the establishment of certain specialist committees to facilitate the work of Council. One such body is the Technical Advisory Committee. This Committee consisting of senior representatives from the Planning, Utilities, Transportation, People Services, Legal and Finance Departments would play a prominent role in implementing the planning and development decisions of the Council. It should also complement and support the integration achieved at the Council level. The Technical Advisory Committee would report, as required, to the various Committees of Council.

The Commission recommends that the Committee of Department Heads be strengthened. The Clerk should provide support services and the Committee should be free to choose its own Chairman. Presently, this Committee meets weekly to co-ordinate activities and to discuss common problems. This Committee would primarily report to the Co-ordinating Committee of the Regional

Council, but its services would also be available to the other Committees.

Elsewhere it is stated that the Clerk's Department is responsible for the flow of information to and from the various committees of Council and other bodies, and is responsible for records management.

Basically, the Commission is trying to provide the Regional Council with an administrative structure which will better enable it to initiate and implement policy in an open, efficient and effective manner and to carry out its mandate and to fulfill its responsibilities. The Commission recognizes that organizational change is not a panacea, but along with changes in the political process, may help to improve the effectiveness of democratic government in the Niagara Region.

LOCAL GOVERNMENT MANAGEMENT PROJECT

The Regional Municipality of Niagara is one of four Ontario municipalities currently participating in the Local Government Management Project (LGMP) the purpose of which is to improve the efficiency and the effectiveness of the management process at the municipal level through the implementation of a system of goals and objectives. This project is funded jointly by the Ministry of Treasury, Economics and Intergovernmental Affairs and four participating municipalities - the cities of London, Ottawa and St.Catharines, and the Regional Municipality of Niagara. Responsibility for the implementation and evaluation of the project rests with a project team from the School of Business at Queen's University under the direction of Professors V. N. MacDonald and J. R. Ninniger. The role of the Ministry is to monitor and document the four projects in order to disseminate information about the process to other interested municipalities. Provincial Government financial support for LGMP will terminate at the end of 1977.

LGMP involves the setting of goals and objectives at three basic levels: one, strategic goals and objectives as defined by elected representatives; two, departmental goals and objectives; and three, goals and objectives for individual managers. The purpose of this exercise is to provide bench-marks against which the performance of the municipal system can be measured and evaluated.

This part of the report concerns itself with the implementation of the project by the Regional Municipality of Niagara. Responsibility for LGMP at the regional level rests with a project leader and a task group committee consisting of four Regional Councillors, all the regional department heads, and the Executive Secretary of the Niagara Regional Board of Commissioners of Police. The task group committee has been active and has reported periodically to the Regional Council on the progress of the project. Regrettably, the Regional Council has received these reports in a passive manner and has taken little action to date.

There is little doubt that benefits have been derived from the project. In the first place, the project has been instrumental in reviving the moribund Committee of Department Heads. This Committee is potentially an important mechanism of inter-departmental communication and co-ordination. Second, LGMP has been utilized to facilitate the reorganization of two regional departments, namely Public Works and Planning and Development. Third, some progress has been made towards the definition of departmental goals and objectives. Despite the impending termination of provincial financial support, Regional Niagara may be able to continue the implementation of the project by making it a responsibility of the Committee of Department Heads.

TABLE I

Regional Departmental Structure

Existing	Proposed
1. Planning and Development	1. Planning and Development
2. Social Services	2. People Services - social services - homes for the aged
3. Homes for the Aged	
4. Personnel	3. Utilities - water - sewer - hydro
5. Legal	
6. Finance	4. Transportation - public transit - roads - traffic
7. Clerk's	
8. Public Works & Utilities - Development - Roadways - Water and Pollution - Projects - Emergency Measures Co-ordinator*	5. Legal
	6. Finance
	7. Personnel
	8. Property - land acquisition & disposal - property maintenance
	9. Clerk's - communications advisor
Fire Co-ordinator **	Emergency Measures Co-ordinator Fire Co-ordinator

* attached to administrative arm of Public Works

** at present the St.Catharines Fire Chief

Chapter 4
Communications

The whole question and scope of communications is a key issue in the Niagara Region. The Commission, in using the word 'communications' refers to information, its transmission and availability. It involves individuals, private operations, public organizations and government. It encompasses public access to the news of the day, information transmissions, casual conversations and relationships between elected representatives and their constituents. Communications play an essential part in everyone's day-to-day life. While the Commission is taking a broad perspective in its examination, its basic orientation will be towards the flow of information and the provision for access by citizens to their government.

The two issues of communications and co-ordination are frequently referred to in this report.

Only the basics are touched. Many questions are asked for which answers are not provided. Fuller research and information will be required to provide many of these answers. The Commission's examinations in preparing this report revealed the need for a very basic but general improvement in the spheres of communications and co-ordination in the Niagara Region.

In a democracy, the strength of the community is based, in large part, on how much the members of the community know about their government and what it is doing.

The first point the Commission raises has to do with governments informing the people of what they are planning to do and are doing. It is essential that people know and understand how government works. It is also essential that the people know what legislation the government of the day is proposing and what it has enacted. Governments - provincial, regional and local - should carefully review their procedures with respect to the introduction of bills and proposals and the method of distribution, particularly to those directly affected and to the general public. It is important that the public know what the proposed legislation involves so they may express themselves on the particular issue.

The second point is the citizens' ability to contact the various levels of government. The Commission had its office in the Niagara Region where there are several separate telephone service areas and where a call to the Provincial Government and its ministries in Toronto meant a long distance call. The Commission became very much aware of the cost of long distance telephone communication. Citizens outside the Metropolitan Toronto telephone service area are entitled to access to the government that seeks to serve them. The Commission considers this to be a prime function of government.

The Commission recommends that the Ministry of Government Services, in conjunction with Bell Canada, conduct a very specific and detailed review of the telephone book listings throughout the Region. A basic information number should be published so that a citizen anywhere in the Province can inquire to ascertain which ministry or which agency looks after a particular function. If the white pages can list phone numbers for inquiries about winning Wintario tickets and the Ombudsman can be found in the yellow pages, it should certainly be possible for every citizen in the Province to find a listing in the local phone book for provincial information.

The telephone numbers that are listed seem to be dependent on the existence of an office in that location, although not all of the agencies that operate locally are listed under the Provincial Government heading.

The Commission was advised that ministry policy considers that inquiries can best be handled on the local level. Amplification of this policy, though requested, did not reach us before we completed our report.

To further facilitate the citizens' ability to contact the government at Queen's Park, the Commission recommends that every provincial government letterhead, publication, or document, should contain a phone number so that the recipient may respond by telephone.

The third point has to do with intra-regional telephone communications. The telephone today is a vital link in any system of communication. Bell Canada and its staff have been very co-operative with the Commission.

In the Niagara Region, at the present time it requires a long distance call from many parts of the Region to reach others within the Region. An extended service area was proposed but this was rejected by Welland's Council in 1968.

In July 1974, 46 per cent of those who had telephones in Welland called St. Catharines. In the same month, 26 per cent of those having phones called Niagara Falls. In both situations, the user paid a toll charge. Twenty-five percent of the telephone users in Fort Erie called Welland and paid a toll charge.

Also in July 1974, 36 per cent of the telephone users in Grimsby called St.Catharines. In October 1975, 34 per cent of the users in Wainfleet called St.Catharines. Twenty-six per cent of the users in Vineland called Niagara Falls. In each case, toll charges were imposed.

The added feature of the extended service area is that the 'stimulation' factor is anywhere from two to ten times, which means an increase in telephone time usage if the toll charge was eliminated. The stimulation factor refers not to the numbers of users but to the amount of actual time using the telephone system.

The Commission recommends that the Co-ordinating Committee of the Regional Council consult with Bell Canada as to the prospects for establishing an extended service area throughout the Niagara Region.

The establishment of an extended service area within the Region of Niagara won't come into effect until there is a change in Port Robinson, which has access to more telephone exchanges under the extended service area than any other part of the Region. It was designated by the telephone company as the part that inhibits the establishment of an extended service area throughout the Niagara Region. Granted, a capital expenditure will be required to provide facilities; however, until there is municipal support, Bell Canada is reluctant to proceed. The Commission considers this lack of an extended service area as a serious hindrance to developing a truly beneficial and binding community spirit across the Region.

The use of the telephone provides an opportunity for an exchange of ideas and of maintaining contacts that help to build and bring a community together. If the process is begun now, perhaps the installation will take place that much earlier.

The Commission would like to see, in the front of every directory in the Niagara Region, numbers for the various government departments and activities, particularly those of an emergency nature.

With the present policy of Bell Canada permitting an identical listing in the yellow pages for every business customer as listed in the white pages, there might be an additional section for government in the yellow pages instead of the strange listings that now appear under government services and boards of education.

The fourth point of discussion is the news media within the Region. No discussion of communications would be complete without reference to the news media. They are a vital and important part of any community, and for better or worse they have a direct effect on the success or failure of government in that community.

The media and its operations have been amply detailed in the background study concerning this subject. For the most part, the Commission is in agreement with the comments and conclusions of that study.

There is no single communications vehicle that, in practical terms, reaches all parts of the Region. This means that if the media do not extend their coverage of region-wide news items, certain parts of the Region receive little if any regional news.

The Commission, and Commissioner, would like to make it clear that there should not be government intervention or control of the news media. However, some regulation is required with respect to the operation of radio and television, such as is performed by the Canadian Radio-Television Commission. For democratic government to be effective and responsible, citizens of a community must have access, through the media or otherwise, to adequate and accurate information about their governments' activities.

The Commission will be the first to acknowledge that much of what transpires at municipal council meetings may be trivial, mundane and hardly worth reporting. It may require reporting skills to extract the important and newsworthy items from the day-to-day goings on. In most communities, and in Niagara in particular, there are many services, issues and controversies which would be well worth in-depth reporting. Such items as the tussle among department heads, how the Regional Government is operating, how much time regional councillors spend on their work and how much they are paid compared with other regions, the fact that the Regional Council did not make a submission to this Review Commission, the economics of the agricultural industry in the Region, for example the plant and flower industry's growth from $4 million to $32 million in sales in the last few years, future methods of transit in the Region and location of the routes, and after the rumpus of the Winter of 1976 how satisfactorily is the Land Division Committee performing in approving severances, are just a few examples of controversial issues which are more than day-to-day affairs.

The media within the Niagara Region might consider the establishment of a Niagara Press Association to act on a co-operative basis similar to the various news services in Canada and around the world. There is much room for the provision of background information on situations that develop in various parts of the Region. This could be done for controversial issues as they develop or simply to provide the people of the Region with information on the types of services that are being provided within the Region. It appears to the Commission that the daily newspapers operating within the Region have the financial capability to provide more services of this type. Some of the weeklies do it now.

A co-operative press association for Niagara would also allow representatives from the daily and weekly papers to share in the coverage of the many local and Regional Council meetings and goings on that take place regularly within the Region. This input would allow for more coverage of various municipal happenings and for more in-depth reporting as well, since the day-to-day news is also made available through this co-operative service.

The Commission recognizes that the media play a very important role in the community. Its intent is not to look over editors' shoulders or tell them how to run their newspapers, but rather to make suggestions which the Commission considers will improve the quality of government and life in the Niagara Region. Suffice it to say that this Commission recognizes the media as an important part of the community and assumes that it is a part that is ever-seeking to improve itself.

The members of the media have a heavy responsibility to the community at large. With their elaborate printing systems, distributions systems, 'carrier-boy' systems and broadcasting networks they are capable of informing the public about the defects and the dangers, as well as the strengths and the accomplishments of the governments. The challenge to comment and to criticize carries with it the responsibility to be accurate in the criticism.

The Commission regrets that the Federal Government did not reserve a television channel for a service directed to the Niagara Peninsula, which is now dependent upon television stations from across the border or from other parts of the Province.

With the increasing stress on the responsibility of government to make full disclosures and with the possibility that a Freedom of Information Act may be adopted both by the Federal Government and the Provincial Government, there will develop an even stronger argument in favour of freedom of information at the local and regional levels across Ontario. The media in the Niagara Region have taken a strong position on this point and they are to be commended for it.

The Regional Municipality of Niagara itself has the major responsibility to improve its communications with the public. This Commission believes that if the Niagara Region takes the first step, the area governments will follow along. The Commission therefore recommends that the Regional Council immediately take steps to employ an official to be called a Communications Advisor, an Information Officer or any other representative title. It will be this person's responsibility to provide expertise and guidance to the Chairman, the Council and the officials with respect to informing the citizens of the Niagara Region of the activities of the government.

The existence of this Communications Advisor is in no way intended to restrict or inhibit any member of the media or the public from communicating with the Chairman, a councillor or any senior official in order to obtain information, comment or opinion. In the past, the media have criticized such an appointment for fear that the news will be managed, and that they, the media, will be cut off from contact with the elected representatives or government officials. It is the opinion of this Commission that this type of situation will only occur if the media permit it.

The role and functions of the Communications Advisor should be described in detail. He should review the present publications of the Region, including the methods of production, distribution and availability to the public. He should have the responsibility for the preparation of an annual report which would outline all of the activities of the Regional Government, not just focussing on the accomplishments of a particular department. He should ensure that public meetings of Council are held in facilities which will allow the public to attend and to hear what goes on. He should attempt to see that information about the activities of the Regional Government is forwarded to the people. He should also ensure that information is made available to private organizations and to those publishing books and reference material concerning the Region.

Another task for the Communications Advisor would be to review the listings in the telephone directory for the Niagara Region. The Commission has commented elsewhere on the importance of easy access to government personnel by the public. This is true whether it be for an emergency or simply in order to reach a department of the Regional Government. He might also assist in the effort to secure toll-free operation of telephone service throughout the Region. He should also contact the Provincial Ministry of Government Services with respect to the provincial listings in the directory for the Niagara Region.

The Communications Advisor should review the nature of advertising being used by the Region. Too often, it is overloaded with the phrase "Public Notice", and the real message is not conveyed to readers. It may be worth consolidating this advertising so that there would almost be a Regional Notice Board section that would give an indication of what is happening in a manner that is understandable by the people for whom it is intended.

He should be available to provide advice and assistance to the area municipal governments and the special-purpose bodies in their efforts to keep the public informed.

The Regional Government is constantly making decisions that directly affect the people of the Region. The Regional Government may be acting on matters of planning, pollution control, transportation, housing or leisure time. It is the responsibility of that Regional Council to inform the public about the things that it is doing. The people are entitled to get this information from their government. The responsibility of informing the taxpayer as to how his money is being spent is the responsibility of the taxing authority as well as the media.

Chapter 5
Regional Functions

CULTURE - ARTS, DRAMA, MUSIC

"Historically, towns and cities have been places for commerce, trade, industrial production. City officials, pre-occupied with problems of economic growth, transportation, health and welfare, paid little attention to those attributes of city life which could make communities rewarding places to live. Today, preservation of historic buildings, conservation of the natural environment, town planning and design, landscape architecture, control of water, air and noise pollution are all areas in which municipalities are responding to the challenge to develop a more humanistic social and urban environment. The increased interest that municipal leaders are showing in the arts is only one positive sign of their total attempt to nurture resources which are vital to the quality of life."

The Canadian Conference of the Arts used the above paragraph as a preface to its booklet, The Arts and the Municipalities, presented to the then Canadian Federation of Mayors and Municipalities in 1975. The Commission considers the arts to be clearly within the purview of this report. It has found that in the Niagara Region, both the local and regional levels of government have avoided involvement in cultural activities.

In his Royal Commission Report on the Arts, the late Vincent Massey recognized that the arts and letters are threads which cannot be weighed or measured in the vast fabric of the life of the nation; that they are intangible elements giving character and strength to the way of life. They are elements which may seem unimportant or even irrelevant considering the pressures of daily life, but they provide the means by which many people spend their increased leisure time. The arts, broadly defined, are no longer available to only a small minority. The real catalyst for cultural involvement should come from the people themselves. Government aid alone is not the answer, for any government involvement must be used not to stifle but to promote the fulfillment of the people.

The Commission is pleased to note the success of the St.Catharines Symphony Orchestra which has developed slowly, moving forward step by step and continually increasing its impact on the community. It allows all members of the community to develop their talents and interests in the field of classical music.

When handled properly, government involvement in the field of culture is important. With the heavy emphasis on industrial development in the regional community, cultural development should not be far behind. It is the latter, which makes a community more attractive since it is the scope of cultural activity available within a community that determines how one's leisure time is spent. A broad and active cultural program within a community can be a major asset in attracting industry. Business itself has recognized the importance of culture and has formed the Council for Business and the Arts in Canada.

There are many different types and sources of grants available for cultural activities within the Niagara Region. The Canada Council, the Ontario Arts Council, the Provincial Ministry of Culture and Recreation, through the Niagara Region Cultural Olympic Co-ordinating Association and Wintario, are all granting agencies. From time to time, local municipalities, boards of education and library boards provide financial assistance for various cultural activities. Up to this point, the Regional Council has adopted a rigid policy of not making funds available for cultural activities.

This Commission is of the opinion that the Regional Council is ignoring a very important function of government and one that can perhaps best be carried out by the Region.

Consider the many cultural activities and organizations presently operating within the Region, such as the Shaw Festival which is a major tourist attraction of Niagara-on-the-Lake and is well known throughout Canada. There are many amateur theatre groups, music groups and other arts-related activities including the St.Catharines Symphony and Rodman Hall.

The Ministry of Culture and Recreation has tried to achieve some degree of co-ordination by establishing the Niagara Regional Cultural Olympic Co-ordinating Association. Many people and groups have been involved in an effort to establish a steering and co-ordinating body which is representative of the arts and culture throughout the Niagara Region. Unfortunately, this Association has met with only limited success, for several reasons. Without the understanding and sponsorship of the Regional Government, it has been difficult to develop the needed co-operation. The people and groups involved in the arts and culture have been reluctant to participate, some because of their professional status and some for fear of jeopardizing their own identity in the community.

This situation can be improved without resorting to legislative change. As a first step, the Regional Council must accept some of the responsibility and take the initiative. The Regional Council should provide the stimulus, the guidance and the encouragement required to establish an effective co-ordinating organization presently missing from the Region. There are many people in the Region who are interested and active; in order to maximize the benefits of their activities, leadership and guidance are needed.

The availability of funds for culture and the arts is limited. A region-wide co-ordinating organization could assist in providing and directing these limited resources so as to obtain the best value for the community as a whole.

The exact form this co-ordinating organization should take cannot be determined until there is some agreement between the members of the Regional Council and the people involved in cultural activities. The Commission sees it as the responsibility of the Regional Council to create the co-ordinating organization and ensure that its benefits will enure to the entire Region.

Responsibility for the lack of action in this sphere should not be placed totally on the Regional Council. Those directly concerned with culture and the arts must demonstrate a prior willingness to co-operate. Only when amateurs, professionals, popular and classical musicians, artists, sculptors, and so forth, learn to work together will some success be achieved.

Those members of the community who are interested in culture and the arts will have to play a more active role and they, too, must learn to work together. If these groups can ensure an awareness among members of the Regional Council in culture and the arts, their chances for success will certainly be enhanced. Responsibility lies as much with the members of the community as with the Regional Council, if not moreso. They may not only have to prod the Council to perform such basic tasks as attending concerts, but will also have to be active followers, working together to try to achieve common goals.

Leaders of the arts must be active in getting their stories to the community. They must present their case to politicians and to the community at large to demonstrate that what they have to offer is important.

It will be most unfortunate if positive developments in the field of culture do not occur within the next few years. There is much talent within the Niagara Region that deserves to be recognized. This talent should be given the opportunity to fully develop for the benefit of the members of the Niagara community and for the benefit of others throughout the Province.

EMERGENCY OPERATIONS

Emergency measures operations, once in the domain of the Provincial Government, are now a function of regional and local government, although the Federal Government is also involved. While this transfer of jurisdiction has been virtually completed in the Niagara Region, there are still problems relating to uncertainty about procedures, a shortage of communications facilities, and the establishment of a properly co-ordinated structure to handle emergencies.

The Commission is concerned with the level of service, the extent of the operation and the provision of facilities for those people involved in emergencies in all parts of the Region.

Communication within the Region is still a problem in Niagara. Establishing immediate contact with the right department in the event of an emergency is still a difficult task. One telephone number should connect to all emergency services. If it is necessary to use different numbers, the calls should be received in a central location. This would enable switching of calls and/or immediate handling of the problem.

Serious consideration ought to be given to the future use of the ''9-1-1'' program, as is clearly illustrated in the background study paper prepared by Professor R. Church, Fire Protection in the Niagara Region. The ''9-1-1'' program will provide for a centrally-located facility to handle incoming emergency phone calls. All emergency information would feed into this central location and could be redirected to the right agency, whether it be a police, fire, ambulance, emergency road or sewer service problem.

Once established, this facility could also be used to provide off-hour services for other regional functions by taking messages for departments which operate only in the daytime. It could also serve as a contact point with the Province.

This central facility would be able to relay information by telephone or radio to the particular location within the Region and to advise the relevant service personnel in that location. The existing system has many people who are on stand-by phone service and many others who maintain answering services in various spots throughout the Region.

In March of 1976, a major emergency operation occurred when there was a devastating disaster caused by ice and storm conditions that developed on Lake Erie and created serious problems from Fort Erie through to Port Colborne and extending further along the Lake. The Commission's investigation of this situation turned up problems resulting from a lack of co-ordination of the overall emergency operations in the Region. This entailed a lack of central information gathering, the absence of an individual to take overall responsibility for the operations and the non-existence of an effective set of operating procedures.

On September 2, 1976, the Region adopted a Standing Operating Procedures for Peacetime Disasters. While the adoption of these procedures was a step in the right direction, the Commission believes that it still leaves several problems unresolved. The advisory committee charged with the responsibility for reviewing and considering the Standing Operating Procedures for Peacetime Disasters would be well served by broadening its makeup. The Provincial Ministry of Transportation and Communications should certainly be represented on this advisory committee. There are no elected or appointed representatives of the Regional Council or of the area municipalities on the advisory committee. The St. Lawrence Seaway Authority is represented, but the Department of Public Works, which has a very large operation on behalf of the Federal Government, is omitted. Some of the volunteer agencies which played such an important part in the March 1976 situation were not given representation on this advisory committee. This includes service clubs, local arenas, the Motel and Hotel Association and restaurants.

In the Commission's assessment, it is not so much a question of the physical facilities but rather that proper procedures outlining a chain of command for the handling of emergencies have not been established nor have steps been taken to ensure that those involved know their responsibilities. All who might be involved should be familiar with both the human and physical facilities available to deal with a particular emergency situation.

While the Province might wish to remove itself from the emergency measures field completely, it would be unreasonable for it to do so when so many of its ministries have direct responsibilites throughout the Region. Staff representatives of the Ministries of Transportation and Communications, Health, Natural Resources, Environment, and Agriculture and Food should be easily accessible and able to attend the sites of any emergencies.

Previous planning for concerted action in the case of an emergency clearly illustrates the need for a greater degree of co-ordination at the regional level of government. Lack of co-ordination appears frequently when considering regional functions, operations and responsibilities. While the Region is to be commended for the progress it has made in the field of emergency measures, the regional authorities should recognize that there is considerable room for improvement in bringing together all those who would be directly involved in an emergency.

The experience of the Fort Erie storm illustrates how crucial a role various community groups and institutions can play. It is important that these groups be informed of emergency procedures and how they might prepare for and participate in any future emergency situations.

The Commission has several recommendations to make regarding the improvement of emergency operations in the Region:

1. A senior departmental official, independent of any department or major responsibility, be appointed to establish emergency procedures. He would head an agency of the Regional Council and would have a limited staff. This agency would use the actual operating staffs of other regional departments in the case of an emergency. An advisory committee, representative of those likely to be involved in handling and helping with emergencies, should be set up, to assist in preparing plans and informing people of actions to be taken in case of emergencies.

2. In conjunction with the proposed Communications Advisor, the emergency measures co-ordinator should establish a central clearing house for emergency telephone calls. Toll-free calls could be received in the central clearing house. Most importantly, the central clearing house would have the knowledge and the ability to contact immediately any service, facility or individual throughout the Region in order to deal with a pressing emergency situation.

3. The Region should continue to study and improve its operating procedures for peacetime disasters, and in so doing should include representatives from the Regional Council, the area municipal councils, the provincial and federal ministries and the volunteer and social organizations throughout the community.

4. Proposals should be examined to consolidate the information telephone numbers and the methods of communication, both for emergency and regular procedures of Regional Government operations.

5. An Operating Procedures Manual, with an index, should be assembled and distributed to various government officials and representatives of those community and social organizations that might be involved. This manual should include the operating procedures, inventories of places that could provide either food or shelter, and a list of service groups that could provide various types of assistance in the case of emergencies. (When the new Procedures were passed on September 2, 1976, many

groups and government departments who should have been informed of them were absent from the list. Some of these were service clubs, community centres, food suppliers, the various hotel, motel and restaurant associations, businesses with multiple telephone systems, Environment Canada, educational authorities, the Niagara District and Labour Council and the Chambers of Commerce, to name but a few.)

Ambulance Service

Ambulance service in the Niagara Region is financed and supervised by the Province of Ontario through the Ministry of Health. However, it is operated by a series of separate units in various parts of the Region, some being private and others being government operations. Each unit operates under a local name, such as The St. Catharines District Ambulance Service. The citizens of Fort Erie and Crystal Beach have complained with respect to ambulance service in their area.

It would be useful to examine ambulance services to ascertain whether greater co-ordination could be achieved if the entire service were operated as a single ambulance service rather than as separate operating units. While the ambulances would have to be located throughout the Region, a single co-ordinated service might effect savings of money and manpower.

It would be reasonable to have the ambulance service co-ordinated and placed under the Niagara Regional Health Unit. Presently, the financing of the ambulance service is handled entirely by the Province. As indicated elsewhere in this report, the Commission considers that all regions in the Province should be treated similarly for certain types of services. Therefore, the Commission recommends that the financing of ambulance service should be placed on a comparable basis with other regions in the Province, so that a part of the charge should be placed on the Region.

(These recommendations were prepared prior to the announcement on November 12, 1976, of the Niagara District Health Council Study on Ambulance Service.)

HOUSING

"The shape of our cities must also change. During the past several decades, we have allowed our urban centres to expand by building new communities around the edges of old ones in the shape of irregular donuts. This configuration requires huge investments in transportation for each person living in the outskirts to get to work, visit a friend or go shopping.

"Now that cheap energy is gone, you can expect to see a change in city planning as well. If we build entirely new communities or redirect housing development into existing urban cores, we can literally save billions of dollars a year in energy.

"Put simply, suburbia costs too much.

"More communities in the future will be planned to make the most of economies available from district heating, the use of an efficient central source for an entire community's heating requirements."

This quotation, from a speech by the Hon. Dennis Timbrell, Ontario's Minister of Energy, made on November 3, 1976, outlines some of the current problems related to housing. They are as relevant to the Region of Niagara as they are to the rest of the Province of Ontario, although the Niagara Region has a different housing mix than found in many other places.

The Niagara Region has an abundance of single family dwellings. It has many problems with respect to severances and the creation of housing sites in various parts of the rural areas.

Local municipalities, which have the responsibility for the enforcement of maintenance standards, will have to make increased efforts in this field.

Growth in Niagara has been at a moderate pace, allowing the supply of serviced lots to keep up with the demand and keeping the price of housing within reasonable levels. Niagara-on-the-Lake, where house prices have escalated rapidly, is the exception within the Region. Presently, many housing units are under construction throughout the Region and additional serviced lots are available. In parts of the urban areas there is a considerable amount of infilling.

With the completion of the Regional Official Plan, the outer boundaries of the urban areas have been determined. Efforts can now be concentrated on the proper location of housing within urban boundaries and filling the requirements for the various types of housing throughout the Region.

All levels of government are involved in one way or another with the provision of housing. Local responsibilities involve the siting of housing, the development of innovative types of housing, and ensuring that the types of housing required by the people in the communities are provided. Design, not density, usually determines the quality of housing and its ability to serve the social needs of the people who live in the community. As the Minister of Energy pointed out, changes in the approach to planning and housing are going to be required. Society can no longer be as carefree or profligate with the lands as in the past. More consideration will have to be given to permitting greater density, more multiple unit developments and more units of differing types for adults. Adequate housing for families with access to outside play areas and proximity to schools will also be a primary concern.

The Provincial Ministry of Housing in its Report on Urban Development Standards: A Demonstration of the Potential for Reducing Costs, has put forward a set of proposals which the municipalities will have to study and act upon.

The municipalities will have to ensure that effective standards of land use and good housing apply when they approve subdivision plans, site development projects and proposals under Section 35a of The Planning Act. Since there will be variations in zoning requirements, the Commission recommends that the Committee of Adjustment remain at the area municipal level. This is the most logical level for zoning by-laws to operate.

The Regional Planning Department should undertake to co-ordinate the exchange of information and to make it available to all of the area municipalities. Niagara area politicians have been rightfully critical of the Province and its methods of approving subdivision plans. These politicians might set an example by showing just how well it can be done in the Niagara Region.

The Policy Plan, which is to become part of the Official Plan, clearly sets out the policies for housing in the Region. The terms of these policies are very broad, and to attend to the housing problems will have to be more specific.

The Region is in the process of completing a study for the Housing Advisory Committee. The information available to the Commission, at the time of writing, indicates that this report will provide an excellent base for the municipalities to consider innovative ideas that must be adopted. The Commission encourages the Region to continue with its study and with its Housing Advisory Committee, which brings together many of the elements involved in the provision of housing for the community - a positive step towards providing co-operation.

Both the Provincial and Federal Governments are involved in the provision of housing. The Commission suggests that consultation by all four levels of government would ensure that the supply of housing in the Region fills the actual needs of the people.

The number of housing units provided for those needing assistance has increased substantially since the Mayo Report was published in 1966. In 1964, seventy units were operational and an additional 210 were

planned. In 1976 there were 1,535 dwelling units in operation, 136 under construction and another 242 units planned.

The Commission suggests that a single housing authority should be established for the entire Niagara Region. In the interim, the three housing authorities should be continued, although their names might be changed so that they begin with the word 'Niagara' for purposes of identification.

It should be noted that the Province of Ontario and the Federal Government together contribute more than $3 million each year towards the operating subsidy for providing family and senior citizen housing in the Niagara Region. This is over and above the advances for construction and is a figure that does not necessarily show up in some of the comparative tax studies.

The Commission recommends that when selecting members for housing authorities the restrictions on those allowed to serve be eliminated. Ontario Housing Corporation should make the appointments from nominees of the municipal or regional councils, rather than the federal and provincial authorities who provide funds for the cost of management. A more direct and less cumbersome procedure would facilitate the process of making appointments to these authorities. Consideration should be given to including representatives of the tenants living in the various projects. Elected representatives should not be disqualified from appointment.

The relationship between housing and transit is of key importance. It is one of the reasons behind the Commission's recommendation that transit be considered a key regional function.

It is important that the inhabitants of the Region of Niagara be made aware of the need for, and the reasons behind the need for, multiple dwelling and higher density housing. As the population grows and the land available for housing dwindles, the people must learn that these buildings cannot always be put "over there" but will soon have to be located "here". These facts of life are related to energy conservation, transportation, the limited capital available, and in the Niagara Region, the need to preserve farmland.

To further the regional identity, the Commission recommends that the Federal and Provincial Governments establish overall statistics on a Niagara regional basis. Land use and housing are important items for inclusion in these standard statistics. It is clear that the boundaries of the Regional Municipality of Niagara will remain constant for the foreseeable future and these statistical reports should be based on those boundaries and listed under the title of 'Niagara'.

HYDRO

The provision of hydro services within the Region and the problems arising from rate inequalities have an impact on the future growth and development of the Region. A number of studies and commissions have addressed these problems. The Ontario Government Committee on Restructuring of Public Utilities, known as The Hogg Commission, reported in 1974. This, in turn, led to the creation of the Local Restructuring Committee which is to report in 1978. The Minister of Energy, the Hon. Dennis Timbrell, in a speech in Welland, August 24, 1976, announced that he would not make any comments about restructuring until the Local Restructuring Committee had submitted its report. Yet past history indicates that even after the Committee submits its report, there is no assurance that the Government will act. In 1966, the then Minister of Municipal Affairs, The Hon. J. W. Spooner, had this to say about the hydro and rate situation:

"I wish to assure you that the recommendations on this question have in every case been made by completely independent commissioners and must necessarily refer only to the review areas which have been set out in their terms of reference. In fact, they represent only the personal views of the author or authors of the report and, although

these recommendations will be duly considered by my Cabinet colleagues and myself, I can see no reason for recommending to the Government any change in the present Public Utilities Act dealing with this subject.''

This Commission believes the problem of hydro distribution and its rate structure is important enough to require immediate attention and that the frequent appointment of commissions without any action being taken on their reports is not in the best interests of the citizens in Ontario. Immediate action is required to rectify this problem.

Studies and recommendations were made in 1966. It is now 1976, and further studies continue. This Commission is fearful that in 1986 there will still be a report in preparation and that it will still be under consideration in 1996. Throughout the entire period the problem of unfair rate inequalities has continued to grow. Difficulties in obtaining information are ever present. On one occasion this Commission asked Hydro for information and was told to go the Local Restructuring Committee, which said it had not received the information from Hydro.

The Commission also believes the major stumbling block is the mistaken belief that there must be a huge financial readjustment when the facilities are transferred to another level of government in the area.

So studies and reports continue and as yet there has been no definitive action taken to provide a reasonable solution to a matter that could be handled so easily. The log jam of studies and reports must be broken!

That there are discrepancies in utility rates within urban areas is known to all citizens and political leaders. Public Utility Commission boundaries reveal a great disparity in their location with respect to municipal boundaries and also with respect to rural areas and urban area boundaries. The Regional Council's recent decision to alter urban boundaries will lead to further confusion. Another part of the problem is the discrepancy in charges levied by the various utilities commissions. This Commission feels that these problems have been studied far too long and that it is now time for action.

In light of this, the Commission recommends that the provision of hydro service should become the responsibility of the regional level of government. The Commission recognizes that, in the case of Fort Erie, arrangements will have to be made with the Canadian Niagara Power Corporation. In the case of those industries that have previously made direct arrangements with Ontario Hydro for the supply of power, provision will be made for the continuance of a similar type of supply arrangement. The Commission is of the opinion that a quick and just solution is required and that regional responsibility for hydro service is the most viable solution.

In their presentations to the Hogg Commission, the City of Welland and the joint brief of the Niagara Falls City Council, Hydro Commission and Chamber of Commerce called for both the establishment of uniform retail rates in the urban areas and for the servicing of rural areas within the area municipalities. These arguments can be applied with equal effectiveness to the provision of hydro service on a regional rather than on a local municipal basis. The proposal is, in many ways, similar to the present regional policy of establishing uniform water and sewage rates in serviced areas.

This is not to suggest that a uniform rate structure need be applied immediately. The Region's Official Plan could be used to determine whether or not rates by service areas should be continued. Special rate adjustments might be required and a uniform rate structure based on a density qualification could be phased in over a five-year period. This five-year phase-in period would not be unusual and could serve to cushion the impact on the regional system's financial structure. Finally, the Commission recommends that once an increase is announced, there should be a 30-day waiting period for complaints to be registered before the rate increase takes effect.

The establishment of a uniform rate structure is both necessary and desirable. Presently, not only are there wide discrepancies in the rates charged to urban and rural users, but also there are discrepancies among the various municipalities. Further complicating this situation is the case where a municipality is served by more than one utility commission, each charging different rates within the same municipality. Rate discrepancies within the Niagara Region occur even within the same subdivision. For example, an arena located across the street from the urban hydro system pays a higher rural rate than it would if located on the other side of the street. The accompanying table, Table 2, illustrates the degree of rate discrepancies within the Region.

While equality of rate structure is important, it is not the only reason for placing this function at the Regional level. The Region's recently approved Official Plan delineates urban and rural areas. The Region will best be able to control development if it also controls the provision of services. To continue to split the control over various services will make the task of controlling unwarranted development more difficult. One of the unique aspects of the Niagara Region originates in the diversity of interests and differing types of communities. In order to preserve this attribute, both for this and following generations, the Niagara Region must have the capability to control services and direct development. At present, the Region controls sewer and water but not hydro. Hydro is a utility service and its provision must be similarly rationalized and controlled.

The question of how to finance the takeover of hydro facilities is of major concern. If the Region were forced to pay for all the hydro lines and facilities within its boundaries, huge sums of money would be involved. However, The Regional Municipality of Niagara Act stipulated that, concerning the acquisition of water and sewage facilities from the area municipalities for the purpose of establishing a regional system, the Region would only be responsible for assuming the existing debt attached to the facilities so acquired. Indeed, this is the formula which should be used to enable the Regional Government to provide hydro services. The principle involved is that when there is a transfer of physical assets from one level of government to another serving the same geographical area, all that should be assumed are the existing debts and debentures. This has been applied many times throughout Ontario history. In fact, this policy has been used in all regional Acts of the Province of Ontario. It has consistently been used in working out various amalgamations and annexations including adjustments for local utility commissions. There would be nothing new in applying this principle. It was applied when Niagara Falls annexed Stamford. This Commission is of the opinion that there are ample precedents for supporting the formula outlined above. This is also the only just formula that could be employed without unduly penalizing either the Region or the hydro users.

Another principle adopted in amalgamation and annexation proceedings as well as in the establishment of regional governments is the provision that employees shall not lose their seniority, pay scale or status as a result of any reorganization. These provisions could apply without any undue difficulty in this particular situation. It is from among the present employees of the various utilities commissions that the very people who should be running the utility operations at the regional level will come. This overall reorganization cannot occur overnight.

The Commission has recommended the creation of a standing committee for the Niagara Region called the Utilities Committee to which the Utilities Department would report. The proposed Utilities Department would be responsible for the provision of hydro, water and sewer services.

This Commission examined and rejected the idea of the establishment of a semi-independent commission to administer hydro and other utilities. Public accountability would be increased and fragmentation of responsibility would be reduced if the utilities functions were part of the Council's responsibility instead of being administered by a special-purpose body. The Commission

TABLE 2

Comparative Hydro Bills

July 1, 1975

Utility	Monthly				Annual	1976 Rate
	Min.Use	Low Use 250 kwh.	Med.Use 500 kwh.	1,000 kwh.	High Use 20,000 kwh.	1,000 kwh.
Beamsville	$2.50(70 kwh.)	$6.10	$ 8.73	$14.48	$275.70	18.50
Chippawa	3.00(45 kwh.)	9.90	13.65	21.65	397.80	22.87
Fonthill	3.00(73 kwh.)	7.25	10.25	16.75	315.00	22.00
Grimsby	3.00(103 kwh.)	5.65	8.15	13.78	267.80	18.20
Niagara	3.25(80 kwh.)	7.50	10.63	17.38	326.50	21.70
Niagara Falls	2.75(52 kwh.)	7.90	10.75	17.03	315.30	21.27
Port Colborne	3.00(63 kwh.)	8.05	10.93	17.18	316.10	21.15
Queenston	3.00(75 kwh.)	7.20	10.20	16.70	314.40	22.12
South Grimsby	3.00(67 kwh.)	8.30	11.30	17.80	327.60	21.90
St.Catharines	2.75(47 kwh.)	8.70	11.58	17.83	323.90	21.40
Thorold	3.00(75 kwh.)	7.20	10.20	16.70	314.40	22.35
Welland	3.00(52 kwh.)	8.75	11.63	17.88	324.50	22.00
Ont.Hydro Retail						1,500 kwh. Balance
Group One*	3.50(85 kwh.)	10.30	13.80	21.55	385.38	34.82
Group Two**	3.50(74 kwh.)	11.75	15.25	23.25	410.70	36.49

* high density - minimum group of 100 customers, line density of at least 25 customers per mile of line

** normal density - less than figures above for high density.

is fully satisfied that the regional department has done an effective job in providing water and sewer services and sees no reason why the same cannot be done just as effectively in the provision of hydro services.

Finally, the existing utilities commissions throughout Ontario seem to make few policy decisions and are essentially technical in nature. Given the technical nature of this function, and the necessity to depend on staff for the day-to-day operations of the commission, it appears that hydro could function just as well as a utilities department at the regional level. In fact, it is the opinion of this Commission, that such an arrangement would be preferable since the policy decisions of the Utilities Committee would be co-ordinated with those of the Planning Committee through the proposed Co-ordinating Committee. The Commission also recommends that a Technical Advisory Committee consisting of representatives from the Planning, Utilities, Transportation, People Services, Legal and Finance departments should be established in order to complement and support the integration effected at the Regional Council level.

Since the responsibility for dealing with emergency situations now belongs to the Region, it is essential that there be effective co-ordination concerning the use of electricity, the flow of water, the control of sewage and the movement of traffic in any emergency situations. It will be extremely useful to have them all operated by the Regional Government which is charged with overall responsibility in the case of emergencies.

These recommendations would result in altering the role of Ontario Hydro, in that Ontario Hydro would be responsible for the production, distribution and wholesale supply of electrical power up to the transformer station point. At this juncture, the Region would assume its utilities role.

The production, distribution and wholesale supply of electrical power is a significant task which will involve expenditures of large amounts of money and large amounts of technical knowledge and expertise. Today, power comes not only from the waters of Niagara, but also from the nuclear power plants and from fossil fuel plants throughout Ontario. It is the Commission's opinion that Ontario Hydro will have enough to do to provide the basic power without being involved in other local problems which the Region is in a better position to handle. Perhaps the proposals could be tried in Niagara on a test basis, and pending their success, could then be applied throughout the rest of the Province.

Several other points deserve mention. The first is that the staff of Ontario Hydro should be given the opportunity to work within the regional organization or else be transferred and absorbed into other operations of Ontario Hydro. The second is that there will always be some differences in costs. Maintenance and repair costs are one of the determinants in setting rates. It has often been argued that these costs will be higher in rural areas. Future prospects indicate that the cost of the production of hydro will increase so that allocations for repair and maintenance will become a relatively small item. Ontario Hydro has already constructed most of the hydro lines that are needed. Additions will be for new growth, for extensions of residential, industrial and commercial use. It is reasonable to assume that the new users will be responsible through impost charges and levies for the cost of these new facilities. For these reasons, the cost variations between urban and rural will substantially diminish in the future and thus regional distribution of electrical power with a uniform rate structure makes sense.

INDUSTRIAL PROMOTION AND DEVELOPMENT

Industrial promotion and development means the establishing of new enterprises - commercial and industrial - which, in turn, create new jobs during and after the construction period. It means that there will be more people living in the community on a permanent basis; it means new residential subdivisions, new schools, new roads, additional service requirements and an additional tax base. It provides work for many people

who live in Niagara and brings new people into the Region to fill the new jobs created.

Two of the background papers prepared for this Commission clarify the effects of industrial activity and industrial assessment. The background study on Finance clearly shows that industrial properties benefit the entire region as much as if not more than municipalities in which they are located. The background study on Industrial Promotion points out the advantages to be gained by co-ordinating the development of the industrial segments throughout the Niagara Region.

The Region and the area municipalities have ample legislative jurisdiction either to set up their own industrial promotion and development vehicles or to co-operate on a region-wide basis. The challenge is for the Region and the area municipalities to agree on how they can best handle this matter.

This Commission believes that a regional approach to industrial promotion and development is more desirable, carried out in consultation and co-operation with the already effective operations developed by some of the area municipalities. A good deal of knowledge, enthusiasm, and initiative is presently being demonstrated in some areas, and any new approaches must take care to enhance the base that has already been established.

This Commission recommends that a Regional Industrial Commission be established. We have chosen the word 'Commission' to distinguish it from the elected Regional Council. Representation on the Industrial Commission would come from the Regional Council and the area municipality councils as well as various community groups such as industry, labour and Chambers of Commerce. The Industrial Commission, with representatives from interested groups in the community, could become a clear and effective channel for the preparation and implementation of a sound and feasible plan for encouraging existing industry and enticing new industry into the Niagara Region. It would liaise with the Regional Council through the proposed Co-ordinating Committee.

The Industrial Commission will require and will be entitled to receive a substantial increase in financial aid from the Region, a recognition that industrial promotion is a regional situation. It will probably require some strong technical support staff which the Regional Government should also provide. Each of the regional departments should be instructed to co-operate fully in assisting the Industrial Commission.

The new Industrial Commission should ensure that those who are now involved in this function throughout the Region continue to participate actively. This Commission makes particular reference to those who are presently employed in this field in the Niagara Region. There are some well-qualified people, and every effort should be made to enhance their opportunities for achievement. No individual presently employed should suffer directly from the establishment of a Regional Industrial Commission.

With the Region having the major responsibility for transportation, sewers, water and hydro, its efforts will be inter-related with the Industrial Commission to ensure the proper planning of industrial promotion and development in the Region. Working together, the Regional Council and the Industrial Commission should be able to plan more effectively for the future. Fewer problems with the environment and traffic patterns should occur when industrial promotion activities are co-ordinated.

A strong Regional Industrial Commission should be better able to carry the views of the Region to the Province, and to work more closely and more effectively with the Ministry of Industry and Tourism and with the Federal Deparment of Industry, Trade and Commerce in developing an industrial strategy for the Niagara Region.

While there is strong feeling now in the Niagara Region against the creation or continuance of special-purpose bodies, industrial development represents one sphere in which a separate special body is desirable. This new Industrial Commission will be financed by the Region, the area municipalities and other private groups. The Industrial

Commission will have to work with the various departments of the Regional Government as well as with the departments of the local municipalities and with private groups both in and outside of the Region. As long as there exists a method of reporting back to the Co-ordinating Committee of the Region and as long as the Regional Council has the power to withdraw from the Industrial Commission, then the Regional Council will have adequate control over this separate body. Because it is a special-purpose body, there will be a broader range of interests represented on the Industrial Commission, and this will certainly benefit the Region as a whole.

The Industrial Commission will have the responsibility of reconciling the diversity of interests within the Region over the contentious point of industrial development. It is in the development of industry and agriculture today that built-in opportunities are provided for future generations.

LIBRARIES

Public library services within the Niagara Region are provided at the local level and financed mainly by taxes from the local municipality with some additional provincial grants. Appointments to local library boards are made by the local council and the boards of education.

In 1963, the Province set up an organization of regional library systems. The Niagara Regional Library System included the then counties of Welland, Lincoln and Haldimand. When the Regional Municipality of Haldimand-Norfolk was set up, Norfolk County was included. The regional library system involves the local public library boards in a less direct fashion than does the county system. It is a co-ordinating organization established and financed by the Province. The Commission recognizes that this system of library structure which reaches beyond regional boundaries has considerable merit, and recommends that its name be changed so that the word 'federated' be substituted for 'regional'. Similar library systems across the Province should adopt the same nomenclature. This is consistent with this Commission's position that the word 'regional' be used in a governmental sense for those organizations involved and associated directly with regional government.

Albert Bowron, in his report, Library Services Based on the Ontario Public Library: Review and Organization, presented to the Ontario Provincial Library Council in December 1975, recommended that the geographical areas of the Federated Library Systems be enlarged. This is consistent with the view of this Commission that the area of the Niagara Federated Library System should not be reduced. Whether or not it should be extended would depend on whether the facilities and services expected of the library system at that level could be better discharged over a larger territory.

Many do not understand the purpose and intent of the library system beyond the local library board. Charles Deane Kent explained the purpose of the regional libraries in a note, From the Director's Desk, in the Lake Erie Regional Library System publication dated January 1976, Volume 44:

"Regional libraries, it seems to me, have been created in order to develop co-operation, co-ordination, service and leadership in library activities among member libraries in individual regions.

"Each region, however, should stand a little apart from the member libraries, sizing up the situation, making suggestions and preparing programs and offering them to member libraries. This is not the same as Moses handing down the tablets from on High. It is simply an attempt for a regional library not to become enmeshed in the daily activities of local libraries - which are often political - but simply to be able to see the whole plain. Regional libraries should not perform a direct service function to the public except under very unusual circumstances. Regional services are back-up services. The gap, however, between region and member libraries must be small and narrow, but, nevertheless, there must be a

gap in order for the region to manoeuvre. The region must have a somewhat Olympian view. The region must have, as Robert Hutchins says 'a vision of the end'. To see librarianship not in the terms of one library but in the terms of one humanity, is the most important responsibility of the librarian, particularly regional librarians, today. To become involved in pedestrian restricted activities can be harmful to the region. But the region cannot get too far ahead (or behind) member libraries lest the region lose touch with reality.

"Regional board members, many of whom are appointed by library boards, must never carry parochial motivations. They must think regionally. It could happen, that a regional board member could vote against his own local board, in favour of some broader regional policy.

"Regional libraries must stress co-operation and co-ordination. Member libraries should see the benefits of co-operation through contact with other libraries and with other agencies. When a broader perspective develops, stemming from this co-operation, co-ordination of activities follows more easily. And so in turn, the service pattern to people in the region and the member libraries will unfold and increase naturally. The regional authority can play a major, though often subdued, role in such co-operation, co-ordination and service. When it does this, the regional library, looking to the future, is providing leadership of the highest calibre."

The Niagara Regional Library System has a board consisting of nine members appointed either by library boards within the area served, or by the Minister of Culture and Recreation who is presently responsible for libraries.

The Public Libraries Act has provision for one member to be appointed by the public library board in each municipality having a population of 15,000 persons or more within its territory. This method of appointment should be re-examined because of the possibility that six or seven municipalities within the area affected may have populations in excess of 15,000, leaving very few members to represent the other parts of the area being served. These federated boards generally have a combination of representatives from the educational and local municipal fields.

While the regional government is not involved in a direct financial way with the library system, the Commission recommends that a representative nominated by the regional councils be on the board. At present this would involve the addition of two members; one from the Niagara Region, and one from the Haldimand-Norfolk Region - a situation similar to the manner of making appointments to the Niagara Parks Commission.

The funding for the Federated Library System should continue to come from the Province. The present basis is for a per capita grant of 55 cents, and an area grant of $3.00 per square mile, with the maximum being $200,000. This service goes well beyond the boundaries of a particular municipality or a particular region and it is, therefore, reasonable that it should be financed at that level by the Province. Local library boards should continue to be financed through the local municipal councils and by grants from the Province. Conditional grants should be specifically directed to upgrading library services and encouraging municipalities to participate in additional library financing.

Appointments to local library boards should continue to be made by both the municipal council and the boards of education. The function and services provided by the local library boards, the Federated Library System, and the libraries of schools, universities and community colleges are all different. The latter, for example, have to concentrate on the particular needs of their students and courses taught.

The Commission believes that each library board should have the power to grant some form of remuneration. Perhaps the best option would be a financial cost allowance which would provide for payments to members for either actual out-of-pocket expenses or loss of earned revenue while transacting library board business. If this financial cost allowance were available when required, fewer members of library boards

would be precluded from performing functions for the library board due to loss of income. This form of payment is more in keeping with the traditional voluntary service on library boards than some form of honorarium or regular remuneration.

In each of the federated systems, one local library should be designated as a central reference and resource library, to act as the focal point or headquarters for library facilities within that area. This centre would carry additional reference and historical works that pertain to the area but might not be of sufficient importance to be available at all times in all parts of the area.

In other areas there could be some designated reference libraries in addition to the central resource library. These two types of libraries might qualify for special conditional grants.

Library service, in the Region as a whole, would certainly be improved by better methods of inter-library communication and co-ordination. Some federated library systems in Ontario have established newsletters, and it would be most useful for such communications to be available not only to trustees but to others in the community who show an interest in the library services.

This Commission suggests that a representative from the library boards should be included on both the proposed Tourist and Industrial Commissions.

Libraries should co-operate with municipalities and other information services to provide better distribution of information throughout the community. To accomplish this will involve consultation with the Ministry of Culture and Recreation, which is responsible for community information centres.

With respect to the Niagara Regional Library System as it now exists, the Commission concurs in keeping it separate and apart from any of the library operations of the local municipalities or local boards.

The book processing systems, ordering procedures and cataloguing of records at the Niagara Regional Library System do serve as an example of what can be provided by a level of adminstration apart from the regular library branch. These services not only save money but generate revenue for the Niagara system. The system has been highly developed and is used, not only for services within but outside Niagara as well. However, regular services and functions must be maintained.

When there is a new building to house the Niagara Region government offices, consideration should be given to having facilities for a library which could specialize in municipal reference. Space should be provided for the records of Regional and local matters and an index of material available regarding the Niagara Region and details of Niagara's long municipal history which has been well documented. The valuable documents and files from the previous studies of Dr. Henry Mayo might be regained from Queen's University in Kingston and placed somewhere within the Niagara Region.

In summary, the Niagara Regional Library System name should be changed to Niagara Federated Library System; the size of the area should not be reduced; the Federated System should remain separate from the local municipalities and it should have authority to designate resource libraries and reference libraries; appointments should be made by the local library boards, with an added representative from each Regional Council, and the qualifications of municipal size should be reviewed so as to ensure that various areas of the Region will have representation on the Federated Library System; the local boards should be selected by the area municipal councils and boards of education, but the restriction on elected representatives serving on library boards should be removed; the Federated Library System should be financed by conditional provincial grants along with any other revenues the System may develop through performing library services.

The financing of the local library boards should be by conditional provincial grants supported by additional funds from the area municipality.

Some provision should be made for a financial cost allowance for expenses incurred or revenues lost for library board members when fulfilling their functions.

PARKS AND RECREATION

In 1966, Dr. Mayo's Commission recommended that a regional authority be created in order to formulate a comprehensive policy for beaches, parks and recreation and to co-ordinate the activities of the various agencies in the Niagara Region. At that time there was a shortage of parks and the agencies were unco-ordinated. Since the Region's inception, the Regional Council has taken few direct steps on the subject of parks with the exception of the preparation of the Official Plan. The federal, provincial, regional and local levels all have parks and recreational responsibilities; authority is fragmented and co-ordination still lacking.

The Region's involvement has been minimal and on a residual basis. Provision is made in the Official Plan to permit the Region to play a co-ordinating role. The Region's involvement would be in an advisory capacity. It might also provide information and technical expertise, as well as funds for land acquisition.

The Commission recommends that the area municipalities continue to provide local parks and recreational facilities and services with the Region's role restricted to assisting with advice, co-ordination and financing.

The primary responsibility for parks and recreational activities rests with the local municipalities. Welland, Niagara Falls and Grimsby endorsed this in their briefs. The Regional Councillors, in their presentation to the Commission, also strongly favoured this approach. The local municipalities have worked very well with the service clubs and other voluntary groups for the provision of facilities. Together they have been responsble for the construction, operation, extension and enhancement of recreational facilities.

The local municipalities have a responsibility to co-ordinate the provision of recreational facilities. This might help to obtain better locations for facilities to serve adjoining areas and facilities which would meet Olympic standards.

The Niagara Parks Commission, a provincial agency, was established in 1887 in order to develop, administer and maintain a system of parks along the Niagara River. This Commission consists of eleven members, seven of whom, including the Chairman, are provincial appointees and four of whom are municipal appointees, one each from the Niagara Region, Niagara-on-the-Lake, Niagara Falls and Fort Erie.

Since its inception, the Commission's parkland holdings have grown from 150 to more than 2,800 scenic acres along the Niagara River. In addition, the Niagara Parks Commission administers Charles Daley Park, Stoney Creek Battlefield Park and Drummond Hill Cemetery.

The Niagara Parks Commission operates various tourist attractions located in its territory and also receives revenue from the diversion of water from the Niagara River.

The Commissioner attended one meeting of the Niagara Parks Commission. Based on this visit and other investigations, it is the conclusion of this Commission that meetings of the Niagara Parks Commission could usually be open to the public and the media. This Commission fully acknowledges the role that the Niagara Parks Commission has played in controlling the lands along the Niagara River. They have been exceptionally well maintained for park purposes to the general benefit of the community and for the people of many nations.

The Niagara Peninsula Conservation Authority was established in 1959 and includes all of the area of the Regional Municipality of Niagara as well as portions of

the Regional Municipalities of Hamilton-Wentworth and Haldimand-Norfolk. The Niagara Region controls the Conservation Authority appointing 25 of the 33 members. In 1975, the total land holdings of the Authority amounted to 3,644 acres located in fourteen different municipalities. The Conservation Authority has a responsibility for conserving the lands and the watersheds of the many creeks throughout the Region. It is also responsible for providing parklike areas within these watersheds. In carrying out this latter function, it has created many park areas such as Ball's Falls Conservation Area, a major recreational facility for the inhabitants of the Region. The Authority has purchased many parcels of land for park use. In 1975 it purchased more than 104 acres which were entirely within the escarpment area.

Parks with recreational facilities fall within the jurisdiction of the area municipalities. The Niagara Region however, through the Niagara Peninsula Conservation Authority, could assist in the acquisition of parks or land for park purposes. The Conservation Authority is well suited to this function as it possesses both statutory authority and, along with assistance from the Region, the necessary finances.

The Provincial Government's involvement in parks and recreation in the Niagara Peninsula occurs through more than the Niagara Parks Commission and the Conservation Authority. Through the Ministry of Natural Resources, the Ministry of Culture and Recreation, and Ontario Hydro, the Province has large holdings of land throughout the area. The Federal Government, through the Department of Indian and Northern Affairs, particularly in the Parks Canada program, the St.Lawrence Seaway Authority, the Department of Public Works and the Department of National Defence is also a major holder of lands in the area. Both the federal and provincial levels of government have indicated through their various agencies their concern for preserving the historic heritage of which there is much evidence in the Niagara Peninsula.

The Region should perform a persuasive role in working with the three or four levels of government in order to assist in the planning and decision-making process. The Regional Council could prod the other levels of government into acting as early as possible to improve and enhance the lands within their control. It is at this level that the elected representatives of the Niagara Region could exercise their leadership to ensure preservation of the area's historic heritage and provision of recreational facilities for the inhabitants of Niagara. Any progress made in this regard would be of benefit for the present and future generations.

The Commission recommends that the Niagara Regional Government assist, through its planning operations and by providing financial support, the activities of the Conservation Authority and the improvement of the waterfront. By persuasive advocacy, it should encourage the provision of parks by all levels of government, particularly on the lakefronts.

PEOPLE SERVICES

People Services encompasses social services, health services, and some aspects of educational and recreational facilities and services. The selection of the words 'People Services' reflects the changing nature of what was once called 'Social Services'.

In the Niagara Region too little has been done to co-ordinate activities in the people services field; far too few have been involved; there has been too little awareness of what has been happening and perhaps of what should be happening. The Niagara Region was given the responsibility for social services. During the past decade, the number of agencies providing health and social services has increased. The increasing population of the Region, the growing cost of equipment and personnel have meant that costs for people services have skyrocketted. Within the Niagara Region, there is the need to establish a co-ordinated people services planning mechanism in order to provide for

overall integration. A better organized and integrated system might achieve economies which are not presently realized and would reduce the frustrations encountered by people needing more than one service.

People services are provided by many organizations throughout the Region: the Regional Departments of Social Services and Homes for the Aged, the Provincial Ministry of Community and Social Services, the Provincial Ministry of Health, the Niagara District Health Council, the Niagara Regional Health Unit, Family and Children's Services, and many voluntary agencies. Each of these organizations has its own operations, requirements, standards and assistance plans, and even though more than one may be servicing the same person at the same time there is little, if any, effective co-ordination. In some areas there is duplication, while in other peripheral areas such as Grimsby and Fort Erie, there is a shortage of people services.

The solution will not be easily found, but it must be one that not only increases services per dollar spent but is also more productive to the people who require that assistance. An example of better value for dollars spent is the community use of educational facilities.

Because there are a number of studies and proposals from the regional governments in Waterloo, Halton and Sudbury being considered by the Ministry of Community and Social Services at this time, the Commission views its proposals as being tentative pending the Province's response to those proposals. However, several situations in the Niagara Region require immediate attention.

Housing for senior citizens is provided by Homes for the Aged in five locations and by charitable institutions in fourteen other locations. Although they provide similar services, there appears to be little co-ordination between the two provincial ministries and the Niagara Region in making decisions as to where these institutions should be located and how they should be operated.

The Social Planning Council of Greater Niagara in conjunction with the Ministry of Community and Social Services Research Branch prepared a study about ageing which was forwarded to the Ministry in the Fall of 1973. The project cost about $10,000. Part of the agreement with the Ministry was that it was not to be published without the Ministry's approval. It was anticipated that the Ministry would approve publication and also finance and publish the study. After numerous inquiries, the Social Planning Council was finally given permission to publish the study at its own expense in July, 1976. This valuable and definitive study regarding ageing sat on the shelf for three years and was unavailable to the community for that period of time. When it was published in November 1976 it was not as up-to-date as it would have been if it had been published immediately after its completion.

The provision of services to juveniles in need of supervision prior to court appearance represents another problem. Presently, these juveniles must be lodged in Hamilton and then transported back to the Region in order to meet with their parents and lawyers, or to attend courts in the Niagara Region. Family and Children's Services submitted a brief to the Cabinet in 1975 and another to the Attorney-General in April of 1976. No reply had been received from the Ministry by September of 1976. If there were reasons for juveniles being lodged in Hamilton, then an explanation should have been given to the Family and Children's Services in Niagara.

Finding out what agencies exist and what services they provide is a problem that has only recently been solved. Several authorities compiled directories but none were very satisfactory nor accurate. A directory was prepared by the Ministry of Community and Social Services and the Niagara Region in the Summer of 1975, but was not distributed until November 1976. Having been prepared, such a directory should have been published immediately to be of assistance to those who needed it in the Region.

The Niagara Regional Health Unit has accomplished a great deal in a short period of time. The Niagara District Health Council has demonstrated that a small group from the community can come together and assess particular problems within their overall field.

The Commission recommends that the Regional Council, through its People Services Committee, examine the proposals and studies prepared by the Regions of Sudbury, Waterloo and Halton, as well as the Ministry's response to these studies and then prepare a series of proposals for the Region of Niagara.

The Commission recommends that the Regional Council take positive steps to establish a Social Planning Council for the Niagara Region as a whole. In its brief to this Commission, the Social Planning Council of Greater Niagara defined its purpose as: "To encourage community-wide social research and planning through a partnership of community interests, governmental and voluntary, lay and professional, organizations and individuals and to promote the development and maintenance of an effective well-balanced program of health, welfare and recreational services for Greater Niagara."

While there are many interests, organizations and viewpoints to be represented, the Commission recommends that the Social Planning Council of the Niagara Region be a small group, which will have the freedom to contact those directly involved when it examines particular issues or subjects.

The Commission believes that a Social Planning Council for the Niagara Region would be the best method of developing an effective and co-ordinated people services program for the Niagara Region. It would be the best group to devise a structure to embody the proposals contained in this section of the report.

To spell out in detail the solutions to the problems alluded to in this section of the report is beyond the present scope of this Commission. It still remains a challenge for the inhabitants of Niagara to come together to find effective solutions to the problems of meeting the needs of the people in the Region who are in any way disadvantaged. If this Commission has helped to crystallize some of these thoughts and provided a catalyst to action, then it will have taken a small step for the benefit of Niagara.

PLANNING

Planning is itself a simple word, but the function that it implies involves all aspects of government, of the community, and of the use of land and resources, both human and physical. Planning must take into consideration mistakes of the past, provide for the desired uses of today, and hopefully not restrict the needs of the future.

The Commission, recognizing the importance of planning, had a special background study prepared by Professor J. N. Jackson which provides a detailed and comprehensive report of planning in the Niagara Region including how it affects the Niagara Escarpment Commission and the Province of Ontario. This Commission is not necessarily in agreement with all of the conclusions of the background study; for example, the Commission does not concur with the proposal for a Public Service Advisory Board made up of senior civil servants at the provincial level.

The background study does provide knowledge, comment and information which will allow the people of the Region to decide how they want their planning carried out and by whom.

A review of the history of planning in the Niagara Region indicates that very little was being done even 15 years ago. In a 1963 decision, the Ontario Municipal Board, commenting on an annexation application by Port Colborne affecting Humberstone and Wainfleet noted that "the root of the trouble is that the amalgamation should have taken place a good deal sooner so that the Town could have controlled development in the Village of Humberstone area and ensured that the installation of sewers went along

with the development.'' The Board went on to say that the Township of Wainfleet had no subdivision control by-laws and no zoning by-laws. The Township of Humberstone had passed a subdivision control by-law on the eve of the hearing, but had no comprehensive zoning by-law.

In the 1966 Niagara Review Commission Report, Dr. Mayo noted that there were many planning deficiencies because so many of the small municipalities had inadequate financial resources, parochial attitudes and inadequate, if any, staff. The deficiencies of official plans, zoning by-laws and building codes gave evidence of the lack of planning resources. Urban development, urban sprawl and the pressure on the fruitlands encouraged by heavy inter-municipal rivalry for increased assessments were all part of the historical pattern. Even the need for additional low-income housing had been neglected.

In 1969, Eli Comay, in his report to the Region noted that the major problems mentioned by Dr. Mayo were still prevalent and that while there were some sewage disposal schemes and new planning controls, these activities were not being carried out within the framework of an overall regional development policy or a regional development plan.

Based on the forecasts available, the Commission foresees a steady rather than an explosive pattern of development in the Region. The development will tend to move southerly along the Welland Canal and through to Niagara Falls from the Canal. The following table taken from the background study on planning, indicates that there is sufficient capacity for development within the existing urban areas. (See Table 3.)

The Commission believes that both the local community and the regional community have their separate areas of interest and that these must be reflected through their own planning activities. Each jurisdiction must respect the different functions of the other in the fulfillment of its planning role. However, to be meaningful, there must be an explicit understanding of the planning responsibilities belonging to the local municipalities, the Regional Municipality and the Province. This, of course, is not to preclude their areas of mutual concern.

Simply stated, the regional planners should plan for matters of broad regional concern while the local planners should develop plans that deal with local matters within their jurisdiction.

As stated elsewhere in this report, the policies of the Provincial Government should be stated clearly. It is then the responsibility of the regional and local planning authorities to ensure that their plans do not conflict with the provincial policies. So long as these plans adhere to and do not conflict with stated provincial policy, the local and regional planning authority should have the freedom to determine their own design.

This type of approach to planning is stressed in a submission presented in March of 1976 to The Planning Act Review Committee and entitled, Planning Principles and Philosophy. It was prepared by a committee of the Association of Counties and Regions of Ontario, and was chaired by Cy Armstrong, former Chief Administrative Officer of the City of St.Catharines, and presently Regional Co-ordinator of Hamilton-Wentworth. This Commission agrees with many of the points raised in the Armstrong submission, particularly when it states ''that the decision-making process in municipal planning should be public, with an opportunity for public participation before the decisions are made.''

The Commission has elsewhere stated that decisions should be made in public and that they should be made by elected officials. This process may take a little longer; however, some delay may be the price of democracy.

The Commission believes that the Provincial Government through its ministries and agencies has not fulfilled its planning role as it affects regional and local governments. The most serious gap has been the lack of planning direction, of information about definitive policies and of the failure to fill its role in planning from the 50's through to the 70's at the provincial level. While the Province has had some success, it is this

TABLE 3

Estimated Residential Development Capacity Within the Urban Areas Boundaries

October 1974

Municipality	Existing Pop.(1973 Assessed Pop.)	Existing Housing Stock (mid-1973) approx.	Total Capacity of Existing Housing Stock and New Subdivisions		Estimated 1991 Pop.	Surplus or shortage
			Dwellings	Persons		
Niagara Falls	65,446	21,000	40,200	120,600	91,000	Surplus +29,600
Port Colborne	20,522	6,500	16,000	48,000	24,000	Surplus +24,000
St.Catharines	112,299	37,000	59,250	177,750	155,000	Surplus +22,750
Welland	43,767	13,750	24,550	73,650	65,500	Surplus + 8,150
Fort Erie	22,699	7,250	19,250	57,750	30,000	Surplus +27,750
Grimsby	15,752	5,000	8,000	24,000	30,000	Shortage - 6,000
Lincoln	13,633	4,250	9,500	28,500	20,500	Surplus + 8,000
Niagara-on-the Lake	12,252	3,750	7,750	23,250	16,500	Surplus + 6,750
Pelham	9,719	3,000	6,250	18,750	17,500	Surplus + 1,000
Thorold	14,775	4,500	16,500	49,500	30,000	Surplus +19,500
Wainfleet	5,554	1,750	N.A.	N.A.	8,000	N.A.
West Lincoln	8,921	2,500	N.A.	N.A.	12,000	N.A.
Total	345,339	110,250	207,250	621,750	500,000	Surplus+141,500

N.A. = Not applicable. The total was not included in the original table.
Source: Based on Addendum, Regional Niagara Policy Plan, 1 October 1974.

(This table is Table 3.1, page 70, John N. Jackson, Land Use Planning in the Niagara Region.)

Commission's opinion that it has not been nearly as effective as it might have been.

It is not sufficient for the Province to establish a legal requirement that regional municipalities prepare official plans, which when completed must be approved by the Minister. There must be constant contact between the two levels of government to ensure that the regional municipality understands the provincial policy and that the Province understands the needs of the municipality. Only with this mutual understanding and spirit of co-operation, can an official plan, satisfactory to all levels of government, be prepared.

In a brief to the Provincial Cabinet submitted at Welland in November 1975, the Regional Municipality of Niagara urged that "the Minister of Agriculture and Food be requested to provide the Regional Municipality of Niagara with a clear statement of the Ministry's policy with regard to maintaining the viability of the Region's prime agricultural land, in particular, the tender fruit land and its related industries."

The Province has often stated the general principles underlying its policies. It should follow through with specific details as to how the policies could be implemented. This should have been expected because there is a Provincial Advisory Committee on Regional Development, composed of senior civil servants who according to their terms of reference are "to review current and proposed provincial and regional planning policies and programs." Very little indication of assistance to the Niagara Region in the preparation of its Official Plan has been forthcoming.

The Provincial Government has a responsibility to provide direct and co-ordinated leadership to assist the Region in resolving its planning issues in order to determine and resolve points of conflict between the regional plan and the provincial policies. The public should be made aware of the issues and the advantages and disadvantages of both points of view.

Communications from the ministries to the Region have been infrequent. If there have been other meetings and discussions, they are not on the public record - a procedure which should be kept to the absolute minimum.

From the outset, the Region had a very intensive struggle with the entire planning issue. The Hon. Darcy McKeough, then Minister of Municipal Affairs, strongly recommended in a communication to Chairman Campbell that an in-house staff planning department be established. He indicated that while there was use for consultants, it was best for a municipality of the size of the Region of Niagara to develop its own internal planning staff and operation. At first the Region employed a minimal staff and relied on consultants for many months. After further prodding, the Region's planning operation was brought up to an effective level. It is the Commission's opinion that the Region now employs a qualified and capable planning staff which is able to advise the Regional Council on planning issues.

In the opinion of the Commission, the members of the Region's Planning Committee did not not have sufficient time to devote to the planning matters that were coming before them. While the Commission fully recognizes that they gave considerable time, held innumerable meetings, listened to endless delegations and read many briefs, over the period of the past three or four years, the method of operation of the Planning Committee clearly demonstrates that a million dollar operation cannot be run with part-time policy makers.

The Commission notes with considerable interest that there has been an increasing recognition by many of the Regional Councillors of the fact that they have to make hard decisions on a regional basis, and that these decisions may or may nor make the local municipalities and the local representatives happy.

There has been an effort to transfer to the Region the power to make decisions with respect to subdivision approvals. This Commission considers it advisable that this function should be transferred to the Niagara

Regional Government, but is uncertain as to whether or not the Regional Councillors are ready to handle this power of subdivision approvals. On the other hand it may be that only by transferring the power, by presenting these decisions to the Regional Councillors, by letting them learn from their mistakes, will they develop their power and capacity for decision-making.

Many of the regional and local councillors appear to be oriented to growth for growth's sake. It is expected that urban and industrial growth will be within urban boundaries, south of the Escarpment and away from the farmland. The local councils are going to be faced with resolving the issues that will arise from the infilling of residential areas, of determining increased capacity and land densities, of utilizing industrial lands more effectively and of adapting some existing industrial buildings to more modern uses. Both the regional and local councils will have to work together on solving these issues. It is important that they communicate and co-operate with one another. There will be differences in approach and outlook, but these should be discussed openly before the public and decisions should be based on what is in the best interest of the whole community.

Farmland has been a key issue in the Niagara Peninsula for many, many years. Determining agricultural boundaries, a central issue today in the planning and the government of the Niagara Region, is also an issue which is raised in other parts of the Province. The Commission notes that it is not for this Commission to decide where the boundary is. That is the decision of the elected representatives. The Commission recognizes that this issue of determining what lands are to be used for urban purposes and what lands are to be used for agricultural purposes is not a simple one. There are many people, well intentioned, on both sides of the issue who have presented their thoughts and their views.

While the proponents for both sides present strong arguments to support their position, the probable answer lies in striking a fair balance somewhere between these two positions. As the background study on Planning notes, the Region made a very commendable effort to assess the issues regardless of whether or not one agrees or disagrees with the final decision. The matter is now before the Provincial Ministry.

Once the decision is made as to the boundaries between urban and farm lands, government will have even greater responsibilities to assist those working the farmlands. In taking steps to preserve the land for agricultural purposes, a degree of financial security and of interest in the work being performed must be given to the owners and occupants of the agricultural land. Incentives must be given to these people, for the land, unless tended in a careful manner is not nearly as productive as it might be.

Various proposals have been brought forward about adjustments in tariffs but the difficulty of applying this on a seasonal basis or on a scale that would have an effect, is in the view of this Commission a sweet smelling, soft soap solution that does not have a really practical side to it. Tariffs between nations are very heavily controlled by the GATT Convention and are indeed a clumsy weapon to use in this particular operation.

Somehow, there must be an effort to provide equitable border protection giving the farmer security against unfair conditions. Some progress has been made in the use of export and import permits for poultry, eggs and cheese, although, on occasion, there has been reaction from the consumer about price levels.

Efforts will have to be made to develop new markets and new products and improve methods of handling old products. Examples of this are the changes in the types of grapes being planted, the development of the clingstone peach and some of the changes in the production of beef products. The development of the flower and plant business, which has jumped from $4 million to $32 million in just a few years, is an illustration of a method of maintaining the land for potential food production, although used for an alternative in the meantime.

Special short-term write-offs are given for equipment in the industrial sector. These and other forms of subsidies, grants or financial assistance could be provided for the people using the agricultural lands. In addition, farm income stabilization programs may help although they are complex and sometimes uncertain in their beneficial effect.

Successful farming involves long-term planning. Various levels of government must learn to work towards a common goal. No longer can the situation be tolerated where one level of government gives financial loans and assistance to encourage the production of milk while another level of government trims milk quotas and imposes penalties. This makes survival difficult for the people who, having built up their herd of cattle, then lose their source of income to pay off these loans. It is clear that one cannot turn off the production of milk from cows as one turns off a water tap. These types of situations must be eliminated if people are going to expect food to be produced.

With the production and availability of food on a world-wide basis becoming more critical, it is important to ensure that those who devote their lives to the production of agricultural crops receive a reasonable return for their labours and are given incentives to maintain their interest in their occupations. It is unquestionably going to cost the taxpayer more money but it is a price which must be paid. All levels of government involved in co-operation with the various agricultural associations must co-ordinate their efforts so that the best results are achieved for the money that is spent. The produce of the farm must reach the people who can use it and need it, whether they live in Canada or in other parts of the world.

Without question, from now on there will be more effective and detailed control over the use of the land, be it within the urban or rural community. It is a challenge to the people, the community and to government to provide for the maintenance of the quality of land on an economical and rational basis - and above all - for the well-being of the people.

NIAGARA ESCARPMENT COMMISSION

The Regional Municipality of Niagara is within the area of jurisdiction of the Niagara Escarpment Commission. It was established by the Province of Ontario in 1973 to maintain the Niagara Escarpment as a continuous natural environment and to control any development in the area of the Escarpment. The Niagara Escarpment Commission was established by the Province as a result of action at the county level and of special studies and task forces throughout the 1960's. The Province's action was a specific planning act which accomplished what could not then have been done by government at the county or regional level. It imposed an area of control to protect a natural feature that stretches from Niagara to Bruce County.

The details and operations of the Escarpment Commission are more particularly set out in the background study on planning. The Commissioner had an opportunity to attend a meeting of the Escarpment Commission and this Commission has examined several reports about the Niagara Escarpment Commission. Complaints had been made that, in carrying out its function, the Niagara Escarpment Commission had extended itself beyond the Escarpment into planning matters that might be considered local or regional. The Commission has noted that in the past few months the amount of criticism has decreased. This would appear to result from the Niagara Escarpment Commission concentrating on those matters directly related to the location of the Escarpment and giving more generalized comment with respect to less specific sites farther from the Escarpment.

There is no question that there will be differences when there are two planning authorities, the regional planning authority and the Niagara Escarpment Commission. Each has its own field of responsibility.

The Commission notes that the Regional Municipality of Niagara has proposed an urban boundary which has been drawn with a broad brush. When it comes to certain

specifics, there is an important role for the Escarpment Commission to play in drawing in the fine lines on matters that affect both siting of buildings and the sighting of those buildings when people observe the Escarpment from a distance. There is also an advantage in having an independent and detached viewpoint on the matter of the Escarpment.

The fact that the Escarpment Commission has assembled much of the technical detail of the geography of the escarpment area in a presentable form is an asset to the entire community.

The Commission recommends that the Niagara Escarpment Commission maintain its vigilance in protecting the natural environment of the Escarpment, but that it does this in a manner in which it concentrates on the Escarpment except where an action taken in an adjacent area could vitally affect a part of the Escarpment.

The Commission recommends that the meetings of the Niagara Escarpment Commission should be open both to the public and to the media. The applicants and those directly affected by any proposal should have an opportunity to be present to hear the discussion and to see the reports which are considered by the Commission. There may be times when the Escarpment Commission may consider it necessary to meet in private session to consider certain policies, but generally its meetings should be open to the public and to the media.

This Commisson recommends that when the Escarpment Commission has completed its plan and the plan has received approval, very serious consideration be given to continuing the Niagara Escarpment Commission to provide an agency to protect the Escarpment. This Commission is mindful of the success of the Niagara Parks Commission with respect to maintaining the frontier along the Niagara River. It considers that there would be substantial merit in having an escarpment commission separate from the regional or municipal governments able to independently examine all proposals and to expose any proposal which might interfere with or destroy the natural environment of the Niagara Escarpment.

NIAGARA REGION LAND DIVISION COMMITTEE

In recent months the Niagara Region Land Division Committee has been subject to review by the Regional Council; substantial changes in its membership, size and general operations have been the result. These actions have resulted in improved operations of the Committee. Whether or not the decisions of the Committee are effectively controlling severances is yet to be determined. The final responsibility for this rests with the Regional Council and with the media who have the responsibility of advising the public of what is happening.

A key issue raised during the examination of the Land Division Committee concerned the notification of the people who own land or who are tenants on land adjacent to the sites. This issue is common to the Land Division Committee, the Committee of Adjustment, zoning applications and to a variety of other activities at the municipal level.

The Land Division Committee has placed upon the applicant the responsibility of ascertaining the names of the owners of adjacent lands. This Commission considers that to be the responsibility of the government organization. This information is available from the records of the assessment rolls which are maintained in computer files. In some municipalities the computers are so programmed that they can print out these names on address labels ready for mailing.

The Commission advocates that on matters relating to planning, such as the Land Division Committee proceedings, there should be general standards applied with respect to applications.

First, there should be a clear procedure set down for the handling and processing of applications. Second, only a minimum of material should be required from the applicant; it should be relevant to the particular application and should be sufficient to provide all information that is needed

for the consideration of the application. A detailed survey could be prepared later if the application is favourably considered.

Information and notice of the application should be given to the municipality, the government organizations affected, the owners of the land and the adjoining owners who might be potentially affected.

Any reports concerning an application should be released by the authority at the time they are sent to the members considering the decision. The applicant and any objectors should be entitled to see these documents and have sufficient opportunity to consider them.

The applicant, affected ratepayers, the Region, and any local municipality should all have an equal right of appeal.

POLICING

Law and order are of interest and concern to every individual living within the Niagara Region. The policing function in the Regional Municipality of Niagara represents its largest single budget item.

The responsibility for the police function within the Region lies with the Niagara Regional Board of Commissioners of Police, hereafter referred to as the Police Board. This Board consists of five people, three of whom are appointed by the Provincial Government and two appointed by the Regional Council. One of the provincial appointees is required to be a County Court Judge.

There has been much debate in Niagara as to whether the majority of the appointments should be made by the Provincial or the Regional Government. This Commission recommends that a majority of the appointments should be made by the Regional Council, as it is that body which pays the major portion of the cost of policing and has the direct responsibility to the electorate of the Region. Based on its examination, this Commission has not found any substantial arguments which would indicate that police service in the Region would suffer if the majority of the Police Board were appointed by the Region as opposed to the Provincial Government. Adequate channels of communication to the Provincial Government, satisfactory relationships with the Ontario Police Commission and the Ontario Provincial Police, and maintenance of standards of service could be adequately maintained if the majority of the appointments were made by the Regional Council.

The Commission agrees with those who believe it is no longer essential to have a judge on the Police Board. The Commissioner was a member of the Ontario Task Force on Policing which, by a slim majority, concurred with having a judge on the Police Board. In 1975, the Ontario Chamber of Commerce recommended to the Government that no member of the judiciary serve on a Police Commission, or in any capacity having influence over police force policy or operation. This Commission, therefore, recommends that the Police Board consist of five people, two of whom are appointed by the Province and three by the Regional Council including the Chairman of Council or his nominee. None of these should be a member of the judiciary.

This Commission intended to recommend that the Region assume the responsibility for Ontario Provincial Police services being carried out in certain parts of the Region on the rationalization that it is only fair that the cost of local policing of an area be borne by the respective area.

This recommendation has recently been adopted by the Provincial Government, and was announced by the Treasurer of Ontario. However, the overall responsibility for the Ontario Provincial Police rests with the Solicitor-General who delayed informing the Police Board of this change of policy - another indication of the need for improved communications between the responsible units at the provincial and regional levels.

Critics who opposed the transfer of responsibility to the Regional Police are defending an inequity which seeks to maintain a special privilege for the few over the many in that local services have been provided at the expense of taxpayers on a Province-wide basis. Had this inequity been eliminated sooner, then the additional funds recently granted by the Province would have been available to meet costs of additional services or to reduce the local tax bill.

Basically, the changes required in policing the Niagara Region will be achieved, not by legislation, but by hard work, good faith and taking the approach that confidence has to be earned in order to be justified. There appears to have been excessive and unnecessary secrecy in carrying out the activities of the Police Board; a more open approach is required.

According to The Ontario Police Act, meetings of the Police Board shall be open to the public unless the Board directs otherwise. If the Board decides to hold a session in private, it is not obliged to publish or make available to the public the Board minutes covering that session. It is the view of this Commission that the Board has a high degree of responsibility to have public disclosure whenever possible. Unless there is specific reason to do otherwise, matters should be considered in public or, at least, the results of the private meetings should be made public. While the Commission acknowledges that police work often requires secrecy and security, it is aware that this can be carried too far. Proposed changes or actions relating to the policing function should be made public in advance along with the reasons.

The Commission's investigations turned up incidents of dissension between the Police Board and the Police Association. Confidence between employer and employee is a very fragile but necessary state of affairs. The Commission advocates that every effort be made to restore a degree of harmony between the Board and the Association. This is the responsibility of the Board, and particularly the Chairman of the Board. Once good faith and mutual understanding are established, negotiations should become more favourable and a willingness to modify prior rigidities, such as the four platoon system, should prevail. The members of the Association - the police officers themselves - must recognize that as they obtain a higher status and substantial increases in pay, they must be prepared, as do others in the community, to adjust their hours to the needs of the service. Under the four platoon system, officers would know months in advance what their schedules would be. This is a privilege enjoyed by few other people. It should be a matter of policy, in drawing up schedules, that assignments be based on merit, and not as a substitute for punishment.

The Commissioner believes that, despite all the present difficulties affecting the policing operations in Niagara, a true spirit of goodwill exists, that can, and will, prevail to redress the issues and substantially improve the situation.

Policing costs are up for a number of reasons. Police forces, being very labour intensive, find that the major item of the budget is wages and salaries. Expansion, modernization, re-equipping and inflation are also factors in the rising costs.

This Commission believes that the police, carrying out an essential function, should not have the right to strike. The Commission believes that arbitrators, in making their decisions, should take into consideration the responsibilities of the police to the community as a whole.

As with education and health costs, the costs of policing have jumped substantially in recent years. Much of the rising cost may be justified by the need for increased police services. In recent years, police services have become as much social and preventive as criminal and protective.

The introduction of the regional police force in Niagara has provided opportunities for improvement in the policing of the entire area and for the police to adopt more modern methods and more effective ways of carrying out their operations.

The enforcement of municipal by-laws should be left to the local municipalities. This

provides them with the opportunity to have employees who are familiar with the local situation and who know the particular by-laws of that municipality. It is recognized that each local municipality will have different by-laws which should be applied to local situations by people who have knowledge of those situations.

PROPERTY TRANSACTIONS

Whenever a government buys or sells land or takes action which affects the value of land, it must do so in a manner that fully respects the rights of the owners.

As the scope of government activity continues to expand, so does its obligation to act responsibly. Governments must learn not only to behave in a legally correct fashion, but also to be as fair as possible.

The Commission has been disturbed by the manner in which property transactions have been handled by the Regional Government. It is, therefore, a strong recommendation of this Commission that a separate department be established, at the Regional level, to consider and handle all matters involving the acquisition, disposition and maintenance of property. This department should report to the proposed Co-ordinating Committee of the Regional Council. Written reports of all activities coming before this Committee should be forwarded to members of the Regional Council.

Generally, the owner of any parcel of land to be acquired by a government should be notified at the earliest possible moment. The owner should have the opportunity not only to make representations to the government, but also to be present during discussions when a decision is made as to whether or not his parcel of land is to be acquired. The procedures of The Expropriation Act and the Land Compensation Board, as well as appeals, provide both sides with the opportunity to ensure that price is related to the actual value of the land. Provisions are also included to make adjustments for legal costs and appraisals.

Government must make every effort possible to proceed fairly when acquiring land. All reports, including complete details, sh ould be placed on public record where they are readily available; verbal reports in the Clerk's office or in the Works office are not sufficient and do not constitute the proper function of government. It is essential that members of the Council personally examine the issues in detail. If government is to have the respect it deserves, matters of land acquisition and disposal cannot be handled in a haphazard fashion.

Whenever land is to be acquired by a public institution, normal procedures should ensure that those involved should receive adequate notice of the proposal, as well as adequate knowledge of their rights, including the rights of appeal. This is advisable, not just because it is proper, but to enable the Region to fully justify the project and its actions at an inquiry which any affected owner may request. By providing full information and explanations, the inquiry may be avoided and time saved in completing the project.

These issues, where possible, should be considered in public. Only in infrequent cases should there be a need for private discussions, in which case they should be the direct responsibility of the Co-ordinating Committee. If land is to be expropriated, all the relevant information should be on the public record.

The proposed separate department should be clearly responsible for making recommendations regarding the important function of land acquisition, and be separated from any operating functions of the Region. The department should have the responsibility to ensure that, prior to any construction being undertaken, proper title to the land has been acquired and work can proceed without interference.

This department should also have the responsibility for the disposal of land. The method used should be uniform, not only for the Region, but for the area governments, local special-purpose bodies, and for the various ministries and governmental organizations throughout the Province.

Basically, land should be sold by public tender; there should be a reserve bid; there should be adequate notice of the intended sale. Any conditions attached to future use of the land should be contained in the notice of tender. The industrial sale agreement of the City of St. Catharines reasonably outlines the conditions with which a future owner might have to comply.

The Commission recommends that before public land is offered for sale, it should first have been determined that no other government institution requires it. Then it might be offered to either the previous owner, as provided in The Expropriation Act, or, if that owner is not interested, to the owner of a neighboring parcel of land.

Regardless of the guidelines for the acquisition and disposal of public lands, there will always be exceptions, and these must always be openly considered before Council. Any owner of property whose land might be affected should be notified in writing of the proposal and of its possible effect on his property. It may well be that there could be alternative proposals.

The Commission recommends that in the matter of land acquisition and disposal the Region assume all reasonable costs attributable to its actions and should apply its policy in a consistent manner. There is past evidence that the Region may not have treated like situations in a similar fashion. In cases of land acquisition, and in matters involving injurious affection, the procedures laid down in The Expropriation Act should be followed. The Commissioner has been told by some that the Council of the Niagara Region has no policy; on the other hand he has been provided with documents which set out what are described as the 'formal policies of Council', but he was also advised that these 'policies' are only 'practices'.

That the policies of the Regional Council do not conform with the provisions of The Expropriation Act, as enacted by the Province of Ontario, is the Commission's conclusion, which has been verified by outside legal opinion. The operations of the Region are arbitrary, whereas the matter of determining the amount of liability or compensation in cases of injurious affection are to be determined on the merits in each case. In addition, the Act entitles the Region to credit for the benefit to the lands resulting from the completion of the project against injurious affection claims where no land has been expropriated. The Region may provide its staff with some guidelines but not predetermined standards as it has done.

Therefore, the Commission recommends that the Regional Government examine its policies, procedures and actions in this sphere of activity and establish a set of guidelines which conforms with the laws of the Province of Ontario and which is fair, not only to the Regional Government, but also to the taxpayer and to the owner of the land. The Niagara Region may consider that this law leaves the municipality open to claims which it may consider to be inappropriate. If so, then the Niagara Region should request changes in the legislation.

Finally, the separate department which the Commission has recommended should provide services for the area municipalities on a purchase basis. While some of the area municipalities already have effective services, this proposed regional department could provide assistance and ensure that uniform practices and expertise are available throughout the Region.

SERVICES - SEWER AND WATER

Water supply and sewage disposal have been a problem in the Niagara Region for some time. The report of Deacon, Arnett and Murray, of 1958, which resulted in the amalgamation of Niagara Falls and Stamford, tells of four sewer outlets of the City of Niagara Falls that emptied directly into the Niagara River and of that area having no sewage treatment plant.

Dr. Mayo, in his 1966 report, comments on the pollution of Lakes Erie and Ontario and on the City of Welland which had no sewage treatment facilities whatsoever, and was discharging large volumes of domestic sewage and industrial waste into the River through 35 combined outfall sewers.

During the late 1960's, various projects were proposed by the Ontaro Water Resources Commission to the local municipalities. It is a possibility that under these agreements steps could have been taken towards providing effective water and sewage control, although it might have meant adding four new sewage plants instead of one on Lake Ontario.

The alternative was the establishment of the Region of Niagara and the preparation of the plans under PARC Niagara for consolidated water and sewage facilities for the entire area. This led ultimately to an agreement with the Ministry of the Environment which resulted in a $121 million water and sewage program and in uniform water and sewage rates across the Region.

This has been one of the major expenditures of the Region, even though the funds were borrowed at a lower interest rate and there is a 15 per cent forgiveness clause. The problem that this Commission sees today is in the administrative processes affecting the determination of construction and timing of water and sewage facilities.

Construction of facilities for the Town of Lincoln in the east Lincoln sewage works area is to be deferred until 1978. These matters were discussed at the Lincoln Town Council's meetings of September 20 and October 4, 1976. The Mayor was requested to arrange a meeting with the Ministry of the Environment to discuss the situation. The other Regional representative from Lincoln asked to be part of the deputation. Lincoln Councillors were obviously unaware that these matters had already been discussed at Meeting No. 35 of the Technical Liaison Committee held in the offices of the Regional Municipality of Niagara on September 14, 1976, with only staff representatives of the Ministry of the Environment and the Niagara Region. The Commission recognizes that the area municipalities have a responsibility for the water and sewage distribution and collection facilities within their municipalities. They depend on the Ministry of the Environment to provide co-ordination with the Region. It is obvious the local councils and departments appear to be unaware of many of the developments which have taken place. This is unsatisfactory. Area municipalities must work more closely with the Region in the planning for facilities and their installation.

There was a Committee, originally known as the PARC Niagara Committee, which had a responsibility for water and sewage services and was to provide for consultation between representatives of the Region and Ministry of the Environment. The name of this Committee was changed by the Committee itself to Regional Niagara Water and Sewer Servicing Review Committee.

The Regional Niagara Water and Sewer Servicing Review Committee met on September 23, 1976, for meeting No.5. It recommended that Niagara Region staff proceed with the Regional Water and Sewer Service Review under the direction of the Technical Co-ordinating Committee which, according to the terms of reference, went into an extensive identification of the problems of operating facilities and the development of an initial construction program for presentation during consideration of the 1977 budget. Consideration was given to retaining one of two consultants to conduct this review.

By letter of November 10, 1976, from the Chairman of the Regional Municipality of Niagara, John E. Campbell, this Commission was advised as follows:

"You will appreciate that, until such time as the urban boundaries were approved by the Region, it was not desirable for this Committee to proceed with any studies with respect to servicing as the limits of urban growth were unknown. Proposals have now been received from the two consultants identified under Item 3B of Minutes of Meeting No.5, and a further meeting of the

sub-committee is anticipated within the next few weeks to review and make recommendations to the Regional Council on these submissions.''

The Director of Engineering submitted a report DEP-677, dated November 18, 1976, being the first draft of the 1977 Water Supply and Pollution Abatement Cash Flow Program. He notes that this was developed by the Public Works Department staff after consultation with the Ministry of the Environment. This Commission's attention was first directed to the Technical Liaison Committee and the Sub-committee of this Committee in the background study on the Ministry of the Environment.

The meetings on technical matters have also had financial involvement and effects. The background study on the Ministry of the Environment notes that this sub-committee ''is particularly active during the budget period when it might meet almost daily. Matters discussed centre around technical problems, projected cash needs, and the expenditure of funds under the Ministry's grant for sewage and waterworks and for waste management area planning studies, particularly as they relate to projects within the responsibility of the Regional Municipality.''

Reports of this Committee are very slow in being forwarded to the members of the Public Works Committee and the Regional Council. It seems to take about eight weeks. Minutes of the meeting held on February 10 reached Council on April 15.

Similarly, the April 13 minutes appeared July 1, the June 29 minutes on November 18, and the September 14 minutes on November 4. In fact, one report was received by this Commission four weeks before it appeared on the agenda of the Works Committee. Another interesting fact about these meetings was that they were attended only by staff representatives and that no elected representative of the Regional Council was present, although issues went beyond technical matters.

These details are mentioned because this Commission is concerned with the method and manner of communication to the elected regional and local representatives who have the responsibility for making decisions. They should have the knowledge of what is occurring and the opportunity to comment and consult with officials regarding these matters, particularly where another level of government is involved. The Commission recognizes the very high technical qualification of the Region's Works Department staff. The concern is with their communication with the elected representatives. This Commission recommends that the discussions between committees concerned with utilities and the staff of the Ministry of the Environment should be carried out in such a fashion as to provide that details of the discussion are brought to the attention of the members of the Regional Council and the area municipalities at the time of actively making decisions. ~~Thus~~, the elected representatives will have knowledge of the proposals and an opportunity to comment on them. They will also have some idea of the timing of projects, and the alternatives, and will be better able to choose priorities for the different projects.

The foregoing process is confusing, but it only reflects the reality of the situation. The cause of the confusion is a lack of information and knowledge by the elected representatives of both the area municipalities and the Regional Council. When it comes to constructing and financing sewer and water facilities, the elected representatives are not familiar enough with what is going on, what may occur, or what the choices are.

This Commission considers it essential that the members of the Works Committee of the Region, that is, the elected representatives, apply themselves so that they are fully knowledgeable of what is underway and that all the information is available to the full Works Committee and thus to the area municipalities and to the public.

In order to select alternatives, determine priorities and plan the budget, there must be overall co-ordination. Some budget items must be considered by officials of the

Ministry and the Region while others by the Ministry and the area municipality. In a period of restraint such as exists today, it is not possible to do everything all at once. It is perhaps to be expected that elected representatives of a particular area will push to have the construction of facilities in their areas carried out first. This Commission is concerned about the lack of a satisfactory method for giving priority to the various projects, of choosing between facilities for existing development or for new development. The necessary information required to set the priorities is not always available to either the elected representatives or the people of Niagara.

The provision of water and sewage facilities has shaped, does shape and will shape the development and design of new development to accommodate growth, sometimes for a longer period than may be considered to be in accord with proper planning purposes. The master plan, which was the basis of the Ministry of the Environment's proposal for the uniform water and sewer rates, anticipated this by stating:

"It is emphasized that the planning information used in this study must be viewed as tentative until the Regional Official Plan has been completed and it is for this reason that the following Servicing Master Plan is submitted as an interim report. A master plan should be flexible so that it can be easily adjusted to match changing growth patterns and it should be reviewed and updated every few years. Accordingly, *the Servicing Master Plan should be reviewed and revised in conjunction with the Official Plan once that document is completed and adopted.** Finally, it is emphasized that the Servicing Master Plan is conceptual and descriptive rather than definitive and detailed." (*Commissioner's emphasis.)

While there are elected representatives sitting on the Regional Water and Sewer Servicing Review Sub-committee, it is unlikely that all the information or an appreciation of the ramification of the decisions has been brought to the attention of the Regional Council, the local councils, or the media.

It is not unusual for municipal councils to be short of capital which would restrain them from undertaking all of the projects that are deemed desirable by the community. Niagara Region is no exception as there is a need for both new sewage and water systems and for replacement or repair of some of the older systems.

Eli Comay, in his report Planning Organization for the Regional Municipality of Niagara, issued in December 1969, stated:

"Most of the major problems noted in the Mayo Commission Report in 1966 are still prevalent though a number of sewage disposal schemes have been initiated since then, and new planning controls have been initiated or are being completed in a number of municipalities. Neither of these activities is being carried out within the framework of an overall regional development policy, and the need for a regional development plan and development policy represents a fundamental responsibility for the new regional government."

Consistent and constant consultation and co-ordination between the three levels of government is essential. Water and sewage services involve the Ministry of the Environment, the Regional Municipality and the local municipalities.

The Commission favours the continuance of shared jurisdiction with respect to water and sewer services within the Region. The overall water and sewage system in the Region is made up of many different systems. It is not one large system emptying into a common disposal basin as is the case in other regions. In the interests of local operation and local autonomy, the present system of shared jurisdiction should be maintained. In order for the system in Niagara to function in a satisfactory manner, there must be a high degree of communication and co-ordination. This will ensure a rational program for the planning, construction and payment of water and sewage facilities throughout the Region.

While the Commission recognizes, and some have suggested, that the necessary improvements for the provision of water and sewage systems would have come about without changing the structure of government, the Commission is of the opinion that the Regional Government has achieved this role more effectively and easily than if two counties had been involved. Although the cost to the entire Region has been substantial, a higher standard of service has been provided at a more economical rate. Part of the high cost of providing water and sewer facilities is more attributable to lack of action in the past than any of the factors of the present, such as inflation and structure of government.

The Commission recommends that the Ministry of the Environment, through its field office, deals directly with the Region for matters involving the Regional and local municipalities concerned. This means that the local municipalities will also have to go through the Region in order to deal with the Ministry of the Environment, thus ensuring that there is proper co-ordination and a clear line of responsibility.

Any type of development, proposed or existing, be it residential, commercial or industrial, requires water and sewage facilities. These facilities should be constructed according to the guidelines of the Official Plan so that future development will take place according to the Official Plan and not on the basis of where water and sewage facilities have been haphazardly installed.

For waste disposal sites there exists provision for municipalities to enter into agreements with each other with respect to the use and development of such sites. The Commission considers this to be a clear opportunity for the area municipalities to demonstrate their ability to work together, one with the other in the interests of economy for the taxpayer and efficiency to achieve a better distribution of waste disposal.

The Commission has examined considerable material concerning Fort Erie involving the East Bertie situation and the Crescent Park situation. The problems and difficulties that have arisen with respect to these situations are similar to those which were raised concerning the problems in Lincoln and Grimsby. These local problems can be resolved by improving the procedures of consultation of the Niagara Region, the area municipalities and the Ministry of the Environment.

An issue which was to the fore during the time of the Review involved the uniform water and sewage rates and complaints from the City of Port Colborne. This matter is commented on in the chapters dealing with the Provincial Government and the area municipalities.

At the present time a committee of representatives, both staff and elected, from the Region and the City, together with a representative of the Ministry of the Environment, are conducting a technical examination and a report should be forthcoming shortly. In addition, Port Colborne has appealed the rates to the Ontario Municipal Board. In each case there will be an opportunity for all of the information to be brought out and presented for the elected representatives and the public to determine an appropriate answer. This is an illustration that the machinery exists, but that the responsibility for ensuring that it is used rests with the elected representatives; whether or not they do it satisfactorily eventually rests with the electors.

The Commission recognizes that not all of the difficulties and misunderstandings which arose in the setting up of the Niagara Regional Government in 1969-1970 have been healed. There has been a considerable recovery in the healthy relationships between the various engineering departments. If one digs, one can still find scars of earlier events, but the Commission's impression is that on the general day-to-day operations matters have substantially improved. The Commission does consider that the arrangement of the functions now carried out by the Works Department should be revised, as noted in our recommendations concerning the Niagara Region administrative structure.

In looking towards the future, one of the tasks not only of the Niagara Region, but of the Ministry of the Environment, is to

examine new and experimental types of treatment of sewage. Certainly there will have to be ways of adapting sewage systems so that the cost factor can be related to the need factor. There are communities of small numbers of people, anywhere from 200 to 2,000, who may not be able to afford to have huge filtration plants and huge sewage plants with tertiary types of control installed. This may be because of a distance factor from suitable water outlets. Lagoons and other types of treatment may use more land or space, but may be more economical from a dollar point of view, and yet achieve an effective environmental standard for some of the people of the Niagara Region.

TOURISM

Tourism is a mainstay of the Region's economy. Annually, 12 to 15 million visitors come to Niagara and spend in excess of $240 million. There is insufficient data to determine how many thousands of full-time and seasonal jobs are created directly by the tourist industry and how many are created as a by-product. In Niagara Falls alone, it is estimated that there are some 3,700 full-time and 4,500 seasonal jobs. The number of tourists visiting the area declined in 1976 and many businesses and individuals felt the financial effects.

Large sums of money are spent annually in an effort to promote the area for tourism. One of the goals of the promotional program is to get people, not only to visit Niagara, but to lengthen their stay and to visit more than just the Falls area.

At the present time, the various agencies and organizations operating in the tourist field lack co-ordination on a regional basis. It is quite clear that the promotion money could be better spent and the advertising campaigns more effective and more far-reaching if there were greater co-ordination. Because the money is spent by so many people in so many ways, it is difficult to ascertain the extent of the overlap and the loss of efficiency.

The Regional Council should assume a leadership role to strengthen its activities in support of this industry, by establishing a Niagara Region Tourist Commission in co-operation with the members of the industry and the area municipalities. While this Commission does not generally favour the establishment of special-purpose bodies, it recognizes the need for a co-ordinating body to encourage the tourist trade within the Region. The Commission recommends that the Niagara Region Tourist Commission be composed of elected officials from both the Regional and area councils, as well as representatives from the tourist industry and related groups. The Co-ordinating Committee of the Regional Council would liaise with the Tourist Commission.

The Tourist Commission would be financed by the Regional Government, the area municipalities and the participating members. These costs should be shared across the Region since the benefits would be Region-wide. The Tourist Commission's operating budget should be sufficient to allow for administrative, support and research staff. The Regional Council would direct its various departments and their staffs to co-operate and provide all information required by the Tourist Commission.

Contributions from the private sector would be solicited in amounts related to benefits derived from operations of the Tourist Commission. The Tourist Commission might use the method employed by the Niagara Resort and Tourist Association, whereby the contribution of private industry is based on a percentage of the business tax assessment.

The Tourist Commission's main function should be to co-ordinate and assist the various public and private operations active in the tourist industry. It would co-ordinate the preparation of information, the analysis of statistics, scheduling of advertising promotion and assist in the development and mounting of major media campaigns. The Tourist Commission might be able to improve the coverage the Niagara Region gets in the provincial television commercials.

The Tourist Commission should engage in research to determine tourism trends in the area - numbers, average length of stay, reasons for visiting, attractions enjoyed, facilities used and so forth. It could develop proposals aimed at extending the length of the tourist visit and of the tourist season. The Commission could also develop public relations resource personnel who might be used by the various public and private agencies in the tourist industry.

The Tourist Commission would be responsible for liaison with the provincial and federal agencies involved in tourism. It would be most useful if the Tourist Commission offices and the field office of the Provincial Ministry of Industry and Tourism were in the same location. Co-operation between the Tourist Commission and the field office for tourist promotion and publications would then be better co-ordinated and there could be improved procedures for compiling statistical information.

While the Tourist Commission would assist and encourage the development of the tourist industry, its members would continue to conduct their own promotional activities. Area municipalities should be encouraged to continue their involvement in festivals which have a specific community identity. The Tourist Commission could assist in co-ordinating the timing of various festivals and activities to prevent conflict and to develop new attractions.

Several years ago the Provincial Ministry divided Ontario into a number of travel association areas. Also known as Festival Country, the Niagara and Mid-western Travel Association includes the Niagara Region. It is the opinion of this Commission that the area assigned to Festival Country contains two distinctly different types of tourist development. This Commission recommends that, because of the unique geographic and historic sites within the Niagara area, the Ministry of Industry and Tourism separate the Region of Niagara from the Niagara and Mid-western Travel Association and create a separate association to serve Niagara in liaison with the Niagara Region Tourist Commission. The separation would be of benefit to both Niagara and the rest of Festival Country as it would allow concentration of administration, funds, and promotional programs on the particular needs of each area.

Anyone who has visited the Niagara Region and particularly Niagara Falls during the peak of the tourist season is aware of the problems with traffic. The Tourist Commission, in conjunction with the Regional Council, might be able to devise a scheme to alleviate some of these problems. A segment of the community is not too pleased with the annual influx of tourists and their automobiles into their beautiful part of Canada.

The Regional Council should assume an active leadership role and demonstrate its support by providing financing for the Tourist Commission operation. Only a strong Regional Council presence and commitment will ensure the effective operation and success of the Tourist Commission. With strong leadership coming from the Regional Council, the private sector should be willing to co-operate in making a success of the Niagara Region Tourist Commission. The Regional Council cannot force either the private sector or the area municipalities to participate, but can, by taking a sensible approach and offering to assist in the provision of services, create a well-organized Tourist Commission. A strong Tourist Commission will enhance the tourist industry in a fashion that is beneficial, economically and otherwise, to the members of the tourist industry and to the citizens of Niagara.

TRANSPORTATION

Dr. Mayo's recommendations contained in his 1966 report were generally adopted with respect to roads but not with respect to public transit. The Ontario Committee on Taxation shared Dr. Mayo's viewpoint and recommended that public transit services be matters of regional jurisdiction.

Jurisdiction over roads in the Niagara Region is presently shared by all levels of government. The Federal Government is involved with roads and bridges associated with the Welland Canal and railways. The Province has a responsibility for the system of provincial roads. Some 600 miles of major urban and rural roads are designated as regional roads, or in today's terminology, 'Niagara Roads'. The Niagara Region is responsible for the regulation and control of traffic on these roads as well as for their layout, construction and maintenance. The Regional Council has the power to approve by-laws, except for parking by-laws, for the regulation of traffic on local roads, that is all other municipal roads throughout the Region. The area municipalities are responsible for the layout, construction and maintenance of local roads, streets and sidewalks.

The planning of the road networks is carried out by the Technical Co-ordinating Committee which is made up of representatives of the provincial, regional and local governments. This Committee undertakes various studies with respect to traffic operations, road needs and highway feasibility.

Three major concerns were expressed during the course of this Commission's investigations. The larger urban municipalities expressed concern over the control of the roads in the highly developed portions of the municipalities. Objections were raised about the Niagara Region having a planning and regulatory control over the areas alongside the roads. Objections were also raised to designating roads as regional roads if they were contained within a single municipality and did not form part of a connecting link.

There are determining criteria for the designation of regional roads. Generally, they are roads which connect either the provincial highway system or establish a through route system for people in the Region. Traffic volume and intensity, as well as specific location, can also be determining factors for designating a road as regional.

The Region has not exercised its power over the control of land adjoining the roads to any great extent. The Commission considers it advisable that this power be retained in the event that a problem might arise in the future. It permits the Region to be involved in planning situations which may indirectly affect regional roads.

The Commission acknowledges the difficulties with respect to the regulation and use of the regional roads in the central business districts of the urban centres. Because a road passes through the centre of an area municipality does not mean that it ceases to be a regional road. The Commission believes that the Region should retain full control of regional roads, but at the same time should make every effort, as it has, to respond to the needs and requests of the area municipalities.

This Commission favours a shared jurisdiction over roads. If roads were returned to the jurisdiction of the area municipalities, it would revert to the system of agreements, which was far from successful in the past. It would also force the area municipalities to pay for the maintenance of roads which are used by people throughout the Region. The alternative, that of placing all roads under the Regional Council, would deprive the area municipalities of the opportunity to have local control over roads which affect only their own municipalities.

The provision, construction and maintenance of roads are responsibilities shared by the Province, through the Ministry of Transportation and Communications, the Niagara Region and the local municipalities.

The Commission found in its examination that, in spite of the difficulties expressed, there exists a high degree of co-operation with respect to the allocation of funds and the sharing of the work operation. The Niagara Region has established a computer control system, and a detailed budget allocation as to the various categories of road maintenance and staff available for carrying it out. In some instances this is carried out by local officials acting on behalf of the Region, while in other instances Regional staff does the work on local roads. This leads to the issue which is so frequently called duplication.

Duplication suggests many things to different people. Within the regional/local context, there are many clerks, planners and engineers. While the titles are the same, the work, function and duties performed by these individuals are quite different and not duplication. Each may be performing similar but different functions for different groups or organizations.

Duplication exists where people are performing the same work at the same time, or are checking over the work of someone else that has already been checked by another unit or level of government. This occurs to some extent with respect to the maintenance of roads. The background study on municipal organization notes that although the division of responsibility between regional roads and local roads is clear-cut, there is undoubtedly a certain degree of duplication in terms of planning expert staff and equipment. This may mean that someone is supervising work that is performed by one level of government and checked and billed to another level of government. This kind of duplication is difficult to eliminate without allocating all the roads to one level of government. It is not entirely wasteful in that it often prompts a spirit of competition between the departments over who can do the best job, and also provides a more intensive check on the day-to-day work and operation that may be carried on by the two levels in co-operation with one another.

In order to prevent this particular type of duplication there has been intensive work done in setting up detailed records and control of work done by the two levels of government. The high quality of the program has been recognized and in 1975 the Regional Municipality of Niagara won a Community Award from American City and County Magazine for leadership. The award was based on the maintenance management system established for roads in the Region. The Niagara Region system has been studied by other municipalities in Ontario, Australia and the United States and has been recognized for its efficiency and economy of operation.

What appears to be duplication occurs when two officials from different departments examine the same issue from their own perspectives. However, when a planning issue is examined by both the regional and local planning departments to ensure that the issue is dealt with adequately from the point of view of both municipalities, this is not duplication. Even if a common conclusion is reached, the process whereby each municipality examines an issue from its own perspective should be viewed as an essential facet of government rather than as duplication.

The mere existence of shared jurisdiction does not automatically imply duplication and inefficiency, nor does it imply that when there is duplication there is inefficiency. On the contrary, it may bring benefits, and it does permit a division of function between different levels of government.

The Commission therefore recommends that the responsibility for the planning, construction and maintenance of roads continues to be the shared responsibility of the Niagara Region and the area municipalities. As well, the Niagara Region should continue to excercise control of traffic by-laws, with the exception of parking on local streets.

The Niagara Region should continue to control zoning in areas immediately adjoining regional roads, and these powers should be extended to include all of the jurisdiction as contained in The Planning Act.

The Commission further recommends that the Niagara Region should assume responsibility for the co-ordination of studies undertaken concerning traffic operations, road needs and highway feasibility. Consideration should be given to changes in locations, road widths and intersection improvements based on long-term projections of future use.

The Niagara Region should retain control of regional roads even though they pass through the central areas of urban centres.

PUBLIC TRANSIT

In his 1966 report, Dr. Henry Mayo suggested that "a planning and social policy tool in the hands of a regional government with jurisdiction over a wide area should involve the establishment of a regional transit authority." When the Niagara Region was established, public transit was left as a responsibility of the area municipalities. St.Catharines and Niagara Falls had previously established transit commissions and now Welland has a transit operation. Basically these served their own municipalities with the exception that the St.Catharines system extends a service into Thorold and Port Robinson.

There is also an extensive school bus network in the Region. On a normal school day, 432 vehicles under contract to the four school boards, transport 29,440 students over a distance of 40,509 miles. The cost per student is 53 cents, while the cost per mile is 77 cents. The total daily cost is just over $15,700 and the estimated annual cost paid by the taxpayer through the school systems is approximately $3 million.

Inter-city bus service is a growing and prosperous business. Operating costs of inter-city busses are approximately 2 cents per seat mile, while comparable figures for airplanes and trains are 4 cents and 3 cents respectively. In addition, investment costs in the bus business are relatively low. A 43-passenger bus costs approximately $85,000. The financial break-even point is 235 miles per day with an average load. Also, in Canada, three companies handle 65 per cent of the 2.5 billion passenger miles travelled annually. These companies are Greyhound Lines of Canada Limited, Provincial Transport Enterprises Limited, and Gray Coach Lines. In general, ticket sales account for approximately 75 per cent of the inter-city bus revenue, but the importance of parcel express is increasing. Furthermore, in the 1976 Regional Transit Study, it was determined that inter-municipal fares in Niagara range from 6 to 9 cents per mile.

Seven major inter-municipal carriers operate in and through the Region. They provide a varying level of service from special service routes which may be token routes to heavily travelled thoroughfares with fairly frequent service. The advantage of being part of the system to them is the significant charter and tour privileges which are often the source of considerable revenue over and above that from providing service on particular routes.

The authority to carry on their respective operations is obtained by licences issued by the Ontario Highway Transport Board. The Board conducts public hearings on the various applications, notice of which is published in The Ontario Gazette. The Niagara Region has an opportunity to contribute to these hearings. In particular, the Chairman of the Board, in a letter dated August 27,1976, to this Commission, stated that the Board welcomes "comments from municipalities that may be affected at any time by an application under The Public Vehicles Act."

Licences for operation of sight-seeing tours and taxis are granted by the Niagara Regional Board of Commissioners of Police.

In 1974, a Regional Transit Committee was established "to investigate and make recommendations with respect to the selection of an appropriate role for the Region in the public transit field and any legislative or organizational changes which may be required to permit the Region to assume its recommended responsibilities." The membership of this Transit Committee is made up of representatives from the Niagara Region, the three existing municipal transit systems in St. Catharines, Niagara Falls and Welland, the Ministry of Transportation and Communications, the Regional Chambers of Commerce, and the various inter-municipal carriers that operate within the Region.

The Regional Transit Committee has published a preliminary report entitled Regional Municipality of Niagara Transit

Study Draft Final Report June 1976. This document contains much data on the existing quantity and quality of service provided within the Region. This Regional Transit Study concluded that the Region should have a co-ordinating role in transit. Regional operation of existing transit service is described as a potential long-term goal. The transit study suggested that time should be taken to resolve the important issues of transit service for the Region. The Region has moved slowly.

The Commission has noted with special interest the following comments from Chapter VI of the Regional Transit Study.

"In assuming a more responsive role in public transportation, the Province must be made aware that the Region may be forced to assume a more active role in the inter-urban transit field. That is to say that the Region may have to assume the operating authority and therefore may be required to provide the subsidies to operate the system. Historically, the provision of inter-urban services has been undertaken by the private sector with no direct involvement from the Province; perhaps it is time that the Province should reconsider its position and the current legislation in relation to regional needs.

"An area of concern which came to light during the committee deliberations was the lack of public awareness of public transportation in the Region, whether it is provided by the municipality or the private sectors. This lack of awareness seems to be in the area of routes, terminal areas, transfer points, scheduling, etc. The Region, through its co-ordinating role could very well fill the void in providing public information in improving the transit image throughout the Region."

The Commission does not concur with the comment in the Regional Transit Study in Chapter 1, "that a full public participation program would be premature at this time, and that public participation could be more effective after the data was accumulated and the regional role determined."

This Commission strongly recommends that the Regional Municipality of Niagara assume operational and financial responsibility for public transit within the Niagara Region as quickly as possible. Public transit would come under the jurisdiction of the proposed Transportation Committee of the Regional Council. The administration of public transit should be carried out as part of the departmental system of the Region. The Council's Transportation Committee would then be able to consider effectively matters pertaining to roads, public transit and other modes of transportation. The new Regional operation should incorporate the extensive transit operations of the various school boards, even though this involves changes in provincial policy and legislation.

This recommendation will require the Provincial Government to revise its transit subsidy arrangements. The present restrictions on transit subsidies should be revised to provide assistance for transit service throughout the Region, particularly between urban areas. The Region should have the power to establish urban transit areas which contribute through the municipal tax towards the cost of transportation, so that those areas of the Region benefitting directly from the transit system would pay an appropriate share of the cost. The Commission believes that a co-ordinated transit system within the Region would benefit those with low incomes, the elderly and those who do not have automobiles. It might also encourage the use of transit rather than the use of the automobile, especially for work-related trips, in the interests of conserving energy and resources.

As the process of urbanization continues so does the importance of public transit which is essential in planning future development and increasing the effective capacity of the road network by reducing traffic congestion.

In the Regional Transit Study it was observed that "At the present time there seems to be (a) decided lack of co-ordination

between the developer, the area municipalities and the Region with respect to the integrated planning of transit services with respect to new urban development.'' It has been suggested that provincial planning activities, for example road needs and feasibility studies, pay minimal attention to the transit function. In both instances it is the Commission's view that the establishment of a regional transportation responsibility may provide the means to obtain the necessary co-ordination of these inter-dependent functional activities.

A single regional operation would be able to give assistance to areas such as Welland, which is having difficulty in continuing its transit services, and Fort Erie which is considering establishing some form of public transit.

The Province pays considerable sums of money for the provision of commuter services for Metropolitan Toronto. The GO System, operated by Toronto Area Transit Operating Authority, crosses municipal and regional boundaries and represents a co-ordinated effort to provide transit facilities regardless of municipal boundaries.

The Niagara Region also requires a transit system which crosses municipal boundaries. The Commission believes that the inhabitants of the Niagara Region are entitled to comparable assistance from the Province to enable them to establish transit and commuter services between the various urban areas. The subsidy formula should therefore be modified to provide equity for the residents of Niagara.

The issues of transportation and public transit have been around for some time. There are many issues involved, such as public or private provision of the service, and which method of transportation should be used. The entire subject must be thoroughly examined in order to determine the best method of providing the most suitable service for the people living in the Region. It will be a costly venture. The Commission believes that the expenditure of money in the sphere of transportation, and particularly public transit, is a responsibility of and a justifiable expense by government.

Transportation issues are intertwined with the development of Canada. The building of the Canadian Pacific Railway, the Crow's Nest Agreement on rates for wheat, and the St.Lawrence Seaway are just a few examples. The allocation of routes between Gray Coach and Greyhound is not just an issue of who operates a particular line, of whether it should be public or private, but it brings to the fore the whole issue of transportation, not just for Metro Toronto but for the Province as a whole. Public funds are limited and it is, therefore, important that this subject of transportation be studied on a broad basis. The Commission considers that the Region is the best spokesman for the area, the place where the responsibility for the operation should lie. This does not preclude having private units performing part of the functions as long as they are operating within the system, providing that those who get the most lucrative routes also share in the responsibility of those routes that are needed for social purposes.

The Commission recommends that the provincial authorities work towards a more fully co-ordinated transportation function, with an equitable sharing of the financial costs both in the area outside of Metropolitan Toronto as well as that within. Individual decisions, such as the Gray Coach/Greyhound matter should be examined to ensure that they fit in with the overall program.

In Niagara, the provincial transportation function should include consideration of inter-urban transit services, land use planning, and procedures to evaluate the total highway network.

Chapter 6
Area Municipalities

In this portion of the report, the Commission will comment on the Region and the various area municipalities.

These comments are of a general nature, often reflective, occasionally descriptive, and sometimes suggestive of what should be happening in the community.

The Commissioner notes that the preparation of this portion of the report has stirred personal memories, for previously he has lived in Port Dalhousie, Thorold, Stamford - now part of Niagara Falls - and St. Catharines. Seeing places and meeting people known for many years has been one of the more pleasant aspects of this challenging task.

Boundaries

EXTERNAL BOUNDARIES

The Commission does not concur with Dr.Jackson's suggestion of any extension of the westerly boundary of the Region; it should remain as it is now defined.

The Commission has concluded that the present western boundary of West Lincoln and Wainfleet allows for a rural buffer strip on each side of the regional boundary, which will prevent problems arising from the location of urban centres too close to such boundaries.

The boundary between Niagara and Haldimand-Norfolk is to the north and east of the Grand River. The potential development of Haldimand-Norfolk, when the capital is made available to complete the Stelco, Texaco and Hydro projects, will involve a sizeable population increase and provide a reasonably strong nucleus for a regional community. Haldimand-Norfolk is an example where the Provincial Government recognized the need to move in advance of development and provide government and planning facilities in anticipation of future requirements. In Niagara, industry and many other features were established long before there was comprehensive planning or co-ordination of physical facilities.

Maintaining the western boundary between the Niagara Region and the adjoining regions of Haldimand-Norfolk and Hamilton-Wentworth will help develop stability for all three of the regions affected.

INTERNAL BOUNDARIES

With respect to internal boundaries, the changes suggested in this report are set out in the section on the City of Lincoln. This proposes that the communities of Grimsby, Beamsville, Jordan and Vineland, along with a portion of the west part of St. Catharines and a small portion of West Lincoln around Grassie and Grimsby Centre, come together under a single municipal structure.

The Commission is not recommending any other changes in municipal boundaries. Some minor adjustments may be needed, but as Welland and Thorold have shown, provision exists for minor adjustments after discussion and agreement with the municipalities concerned.

The balance of this section contains comments about and suggestions for each of the area municipalities.

Individual Municipalities

FORT ERIE

Fort Erie, with a population of 23,072 and an area of 68.3 square miles, has a council of 13 and its first new mayor in 15 years after a spirited election in December 1976. Fort Erie has a ward structure with one alderman elected at-large. The Commission recommends that Fort Erie review its ward boundaries to achieve a basis a little closer to representation by population; it might also consider reducing the size of its council.

Recently a new treasurer was employed by the municipality, a reinforcement of the need to have qualified and well-trained staff for the operation of the municipality.

Fort Erie has been affected by a very high rate of unemployment. The municipality is trying to bring industry to the community. The proposed Regional Industrial Commission could be helpful to Fort Erie in obtaining new industry.

Crystal Beach, Stevensville, and Sherkston have retained their community identity, particularly with respect to the postal services.

Fort Erie is the name that was selected at the time of the consolidation of Bridgeburg and other communities at the Niagara River across from Buffalo. Many of the citizens of Buffalo come over in the summer to enjoy their cottages along with the advantages of the Lake Erie shoreline. In the winter, this location is subject to many heavy storms.

Fort Erie has been most seriously concerned about the withdrawal of the Ontario Provincial Police operation, particularly in Crystal Beach. With the proposed extension to September 1977, there will be an opportunity for examination of this situation with respect to the Niagara Regional Police performing this operation in the future. There will always be occasions when additional police strength is required. Police forces will have to be moved about as required to face up to these situations.

Fort Erie residents have the lively Times-Review to keep them informed of what is happening within their community, as a community newspaper should.

GRIMSBY AND LINCOLN

Grimsby and Lincoln are discussed under the City of Lincoln.

NIAGARA FALLS

Niagara Falls, with a population of 67,892 and an area of 82.8 square miles, has a council of 13 elected on a mixed ward and at-large system. It contains the great tourist attraction of the Region, the Falls, and has featured specialities for honeymooners for several generations. It takes in the former Township of Stamford, the former Village of Chippawa, both of which still retain a high degree of individual identity, and parts of Crowland and Willoughby Townships.

The municipality has a chief administrative officer system and well-qualified staff. Open committee meetings should be held prior to Council so that citizens are aware of issues before they come up for final decisions.

There should be a revision of the wards. Some have small populations and were set up when the present city boundaries were established in 1969 for areas then added to the City. Some areas within the City with larger populations have no representation on Council. One or two aldermen should be elected from each ward. A smaller council is desirable.

Special efforts have been made by Niagara Falls to enhance its industrial development. These activities have been handled in a very capable manner. This is an asset which should be shared with the Region.

The Social Planning Council is a prototype which could be used for a Niagara Region Social Planning Council. The old library building is now a centre for social service operations.

The new library is very much aware of the community and has been encouraging information services. The City features a Community Month. In future, the Region might be invited to participate.

All municipalities have dog problems but Niagara Falls now looks after the lost dogs from St. Catharines on a basis which is considered cheaper than the latter can provide.

Telephone service in Niagara Falls is directly affected by the lack of an extended service area. There is a toll charge from Niagara Falls to Welland where various provincial facilities are located.

There is space for residential and industrial development without infringing on the farmlands. This potential growth in Niagara Falls may enlarge the population but

will also help keep the balance between the various units that make up the Niagara Region.

NIAGARA-ON-THE-LAKE

Niagara-on-the-Lake, with a population of 12,383 and an area of 48.7 square miles, has a local council of nine, elected at-large. It is located at the northeast corner of the Region, and has had, by its own admission, a most unusual and hectic year or two.

Several changes in the council membership took place in the last election. There may be a settling down from the tempestuous times of 1976.

The Commission suggests that the Council continue to consist of nine members but recommends the introduction of a ward system.

In considering the electoral structure, the Commission recognized the merits of having dual service from the additional regional representatives so that they could sit on both the regional and local councils. It was perhaps with respect to municipalities like Niagara-on-the-Lake that the positive advantages of having this were most clearly demonstrated. However, the Commission believes that while there are advantages of having dual service, the representatives should continue with single service on the Regional Council at least for the next four years.

It does have professional people and a good administrative operation. Niagara-on-the-Lake does not presently have a system of standing committees. It should have.

Unlike Fort Erie, which has very limited extended service areas for telephones, those with telephones in Niagara-on-the-Lake are able to call through to anywhere in Niagara Falls, St. Catharines and Thorold.

The Town is filled with attractions for tourists interested in history, heritage and the arts. A federal proposal by Parks Canada would involve spending several millions of dollars to restore and rehabilitate various historical sites and projects including the relocation of some local community operations.

There has been a reaction by some of the citizens through the organization named ACTION. They seek to protect the interests of the people who live there as against the people who come to see the historic sites.

With the establishment of the Shaw Festival and the Mime Theatre, the Town has established a special theatrical identity over the past few years.

With the adoption of the urban boundaries, it is expected that the population may increase through the infilling of the existing urban areas. The farmland will be retained. No changes will come without some very serious battles first.

Niagara-on-the-Lake adjoins Niagara Falls and St.Catharines and some might consider that it should be attached to one or the other of these. Niagara-on-the-Lake should not be joined to either City. It is rural in make-up, has its own community of interest and should be maintained as a municipality on its own.

PELHAM

Pelham has a population of 9,534, an area of 44.1 square miles and has a council of seven. The mayor is elected at-large and two aldermen are elected from each of three wards. The population may soon reach 10,000, at which time, under the present formula, it would be entitled to another representative on the Regional Council. The population of the Town is concentrated in a small area. Consideration was given to associating Pelham with Welland, but the Commission rejected this proposal.

The municipality has well-qualified staff and the Commissioner has commended them on the material submitted to the Commission. Recently citizen groups have developed - an added opportunity to provide information to the public. Pelham has recently moved to open its committee meetings - a good thing.

Only slowly have the two communities of Fonthill and Fenwick, although now joined together in the new municipal structure, eased their strained relations.

Pelham faces two particular problems. First, it has a problem of the water pollution in its wells which is something that will have to be tackled and will cost a lot of tax money. Restrictions on development may prevent an increase in population and new housing until this water pollution problem is overcome.

Second, Pelham is confronted with a highway problem. After the extension of Highway 406 and the upgrading of Highway 3, should Highway 20 be enlarged and should it by-pass Fonthill?

The answers to these problems will only come through a series of studies and a determination of the possible future increases in population in various parts of the Region. In developing alternative proposals, the public should be informed at as early a stage as possible by the various governments.

Pelham has natural attractions as a residential area. Many people who live there hold senior or executive positions. They are the people who should be counted on to make a major contribution to public life, not just in Pelham but throughout the Region as a whole.

Recent proposals might add some 12,000 people to Pelham. If this did occur, there would be the need to create some 2,000 to 3,000 new jobs to maintain this community. The provision of jobs for the people of Niagara in projects that keep them within the Region is a major task that has to be faced, not just by Pelham but by all the municipalities and the Region itself.

PORT COLBORNE

Port Colborne, with a population of 20,340 and an area of 49.8 square miles, has a council of nine, consisting of a mayor, and two aldermen from each of four wards. It also has an additional representative on the Regional Council.

Port Colborne is blessed with the southern extremity of the Welland Canal passing through its core area and cursed with an insufficient number of bridges to carry the traffic. A tunnel to facilitate east-west traffic would be most useful. However, its estimated cost is $40 million. They might be satisfied to have a bridge to provide an alternative means of crossing at Lock 1. Traffic movements within the City are seriously affected. One wonders what the effect would have been had the Welland Canal by-pass come directly south to Lake Erie and left an inner harbour in Port Colborne.

INCO, Robin Hood Flour Mills and Maple Leaf Mills have provided Port Colborne with a strong industrial base; there is potential for further industrial growth. With additional road and sewer facilities, the location would certainly be even more attractive for industry.

As mentioned elsewhere, water and sewage issues are a special matter in Port Colborne.

There are many boosters for Port. They get coverage in The Evening Tribune and from the strong and healthy weekly, The Port Colborne News. Surprisingly, when special community-oriented editions appeared, the Regional Government was seldom mentioned. The Niagara Region might have responded to the request for an advertisement. It might also have assisted by providing information about regional functions and activities, particularly as they affected the southern part of the Region.

The extended telephone service area for Port Colborne includes Ridgeway, Stevensville, parts of Wainfleet, Welland and Port Robinson; calls to Fort Erie, Niagara Falls, St. Catharines and even Pelham, involve the payment of a toll charge.

There was a very spirited election in 1976. Port Colborne elected a new mayor, a new regional representative and some new aldermen. These changes may affect the Region as well as Port Colborne. It is an example of the change in personnel that is occurring slowly throughout the Region and will have a decided and likely positive effect on the operation of government throughout the whole area.

ST. CATHARINES

St. Catharines, with a population of 120,396 and an area of 38.6 square miles has a council of 13. The new mayor, elected in December 1976, is new to council. He is an example of a community man without direct political experience standing for office and being elected. Two aldermen elected from each of six wards make up the balance of the Council.

The City has an effective chief administrative officer system which has been operational for many years and a committee system which provides an opportunity for the public to be aware of proposals that are coming before Council. Access to the general committee meetings is restricted. The public, as well as the media should have the opportunity to attend and observe. The meeting area should be enlarged to allow the public to be present during committee discussions and, in particular, to allow the applicants to be present when the matters which affect them are before committee.

The City of St. Catharines has been the focus of the growth in the Niagara Region. This resulted from the annexation of Port Dalhousie, Grantham and Merritton, which deprived Lincoln County of a very sizeable area and much of its assessment and helped in part to precipitate the discussions which led to regional government.

In the future there will be a need for infill, higher density, better design and a more efficient use of the land. The central core will have to be improved - particularly the historic St. Paul Street, which is a potentially great shopping centre.

While St. Catharines has its own transit system, many advantages would accrue to St. Catharines if the transit covered a larger part of the surrounding area, thus making it possible for more people to reach St. Catharines. The bus route that more than pays its way is the route serving Brock University.

The residents of St. Catharines have an active interest in both culture and sports. There is the symphony orchestra, Rodman Hall, and other community activities. Perhaps from these may come people who will help establish a cultural co-ordinating organization for the Region.

Historically St. Catharines is known for the Henley Regatta, horse shows and hockey arenas, but a lot of participatory sports activities for the youth have also been developed.

St. Catharines has undertaken the construction of a new library facility which could very easily become the central resource and reference centre for the Niagara Region. Certainly that would be a proper recognition of St. Catharines' interest and activity in the library sphere.

St.Catharines, without doubt, is the commercial centre of the Region. It has the population and the industrial and commercial development. The Commission acknowledges that St.Catharines is not fully represented on the Regional Council on a population basis. This often happens when a group of units comes together, some of which are very large and some very small. St.Catharines made strong presentations about representation by population. They could demonstrate their interest in this by instituting a revision of their own ward system where one ward has twice as many people as another ward.

St.Catharines expressed concern that it does not receive fair representation for its tax dollars, its assessment and its financial status. St.Catharines, like other central areas, must recognize that those financial achievements come partly from their own activities and partly from the contributions of those who live and work outside of the central area. Never can all be equal. The Commission, in proposing the City of Lincoln, does recommend the reduction of St.Catharines in its western sector. Generally, this area is outside the urban boundaries and has a greater affinity with the rural area.

The Commission wishes St.Catharines well in its efforts to obtain permission from the Ministry of Transportation and Communications to landscape and beautify the road

allowance along the side of the Queen Elizabeth Way.

St. Catharines has a lot of community spirit. This was clearly demonstrated in the success of her Centennial Year celebrations. Instead of being merely a one-day or one-week event, she was able, because of the number of interested groups within the City, to make it a year long event, with a new and different happening each week. A great tribute to 100 years for a great city - a Grand Old Lady!

THOROLD

Thorold has a population of 14,694, an area of 35 square miles, and a council of 11 - a council too large for a community of this size, even though it calls itself Canada's newest city. The size of council should be reduced and a ward system set up. There is considerable antagonism towards a ward system, but it might be the best way to ensure representation for all parts and to set the pattern for the future growth of Thorold. Thorold is the municipality which is most likely to increase in size and could double its population within a relatively short space of time. Thorold has sites available for additional housing in the area south of the Escarpment and away from the fruitland. With this projected increase in population, Thorold will be able to increase its present capable staff. Thorold has a good planning consultant, but there would be advantages in having its own planning staff to assist in day-to-day operations which are growing.

Thorold should remain a separate municipality and not be absorbed by St. Catharines. This is partly to maintain the balance among the units of the Region and also to recognize the proud and strong historic feeling of the people of Thorold.

Thorold has a strong industrial base, having had a long history of association with paper production as a result of its location on the Welland Canal and cheap hydro power. Considerable effort will have to be expended to maintain the paper mill operations in the Thorold area on the same scale as they have been in the past. This is a challenge in which the Region could assist Thorold through the proposed Industrial Commission.

While there are political reasons for separating St. Catharines and Thorold, in the matter of water and sewage facilities these do come together. It is one of the major reasons for the Region's area including both counties. Through Regional Government, the provision of water and sewage facilities is being handled both effectively and economically.

Thorold has received beneficial effects from having a tunnel under the canal which facilitates the movement of traffic. It eases moving south to Allanburg, the southerly part of Thorold, where extensive residential development can be anticipated.

Thorold has distinct advantages through the extended telephone service area. People can call toll free to St. Catharines, Niagara Falls and Welland.

The Commissioner notes a personal awareness of the feeling of tolerance and understanding that exists today in contrast with a few years ago. At one time, the west side was known as ''the other side of town''. This kind of feeling no longer exists and is an asset to the present-day community.

The Commission has enjoyed its stay in Thorold, where the Study Review office was located.

WAINFLEET AND WEST LINCOLN

Wainfleet, with a population of 5,933 and an area of 83 square miles has the same size council - five members - and the same boundaries as it had when it was established by the Baldwin Act in 1849. The Council, which is elected at-large, tends to have more professionals on it than does the municipality's staff.

West Lincoln has a population of 9,339, an area of 145 square miles and a council of seven. The mayor, along with two councillors from each of the former Townships of Gainsborough, South Grimsby and Caistor, constitute the Council of West Lincoln.

Wainfleet depends entirely on natural water sources and sewage disposal, and is not directly involved in the water-sewer issues that generally affect the Niagara Region. This, of course, limits its population growth.

Wainfleet has a problem, which it shares with other rural municipalities in Ontario, determining the standards and size to apply to 'estate development' sites.

There is a community of interest shared with Port Colborne to the east and with Wellandport, which is partially divided between Wainfleet and West Lincoln, to the north.

Wainfleet, like West Lincoln, has a relatively small population in a large geographic area. The municipal structure in each of these municipalities is not sophisticated and is not involved with the modern methods that are considered to be so important elsewhere. It does however function effectively in serving the residents of the municipality.

The Commission, in the chapter under the proposed City of Lincoln, has suggested the revision of the political municipal boundary in the northerly part of the Township of West Lincoln. This is done to eliminate the municipal boundary dividing the communities of Grassie and Grimsby Centre.

West Lincoln has many similarities with Wainfleet. Both of these municipalities are clear illustrations that there is still merit in maintaining municipalities with small populations in large geographic areas as long as it is possible to maintain a government which satisfactorily serves the needs of the people in those areas.

West Lincoln is a new name developed when regional government was established. The main community is Smithville, where the municipal offices are located. The Chamber of Commerce and service clubs which give much strength to the community are also located there.

There is thus little reason to change the structure of either Township. The Commission has been favourably impressed with the way the mayors and councillors in these areas have served the people they represent. They do it without those delightful advantages or all the attractions that are featured in governments of large centres, but they do it with a human spirit that no computer can replace. They do it in a way which contains the essence of local government, particularly in those parts of Ontario which have relatively small populations. These townships are of a size that can afford to maintain the basic facilities that they require at this time. In addition, and it is a benefit that comes with being a part of the Region, they are able to call on the Niagara Region, its staff and its departments for assistance and facilities which may be required to assist on particular problems that may develop from time to time.

WELLAND

Welland, with a population of 44,972 and an area of 34.3 square miles has a council of 13 members, consisting of a mayor and two representatives chosen from each of six wards. Known as "The Rose City", it features an annual Rose Festival. Welland is a key community in the southern part of the Region, having historically been the county seat with the courthouses and other provincial offices located there. Welland benefits from the tunnels under the Welland Canal by-pass, but has a serious problem with respect to bridges over the older portion of the Welland Canal, no longer used for shipping.

The Committee representing the four levels of government struggles with plans, concepts and ideas, but suffers from a lack of finance and of effective decision-making. Where to place and how to finance the new

bridges which are so vital to the future development of the City of Welland are the key problems.

Welland has been, is, and will probably continue to be a central source for industrial development. With foresight, docking facilities have been provided and areas designated for industrial use.

The ward system works well. There is a need to open the operations of the committees of council and to place them under the jurisdiction of the clerk. This is something which should be done as soon as possible.

The Evening Tribune, a daily newspaper, serves both Welland and Port Colborne and the surrounding territory. It does show that a Thomson paper can do a good job for the community in which it is located.

Welland is now the site of the buildings of the Niagara Regional Fair. This is ostensibly the Welland County Fair and comparable to the Lincoln County Fair located at Beamsville. The Commission is disappointed that so much money and time has been expended without achieving a true spirit of co-operation among those concerned with agricultural fairs. There is a challenge not only to produce a successful fair but to establish a spirit of co-operation among the fairs within the Niagara Region, in Welland, in Lincoln, in Wainfleet and in West Lincoln.

Functions and Responsibilities

When the Regional Municipality of Niagara was established, the number of municipalities was reduced from 26 to 12. This provided a catalyst to the new area municipalities to align their internal structures and operations so as to be able to perform their new responsibilities more effectively.

While some responsibilities, formerly in the domain of the area municipalities, were transferred to the Region, the remaining functions either became shared or were left with the area municipalities. There is much work and many challenges before the councillors of the area municipalities to provide for the following functions: local planning and zoning; local water and sewer services; local roads and transportation; parks and recreation; improvement of the central core; building maintenance standards including residential, industrial and commercial building permits; local licencing; fire departments; conduct of elections; collection of taxes; library services; industrial, tourist and cultural promotion; provision of housing; the structure and operation of their own municipality including personnel; and financing - determining how and where to spend funds to best meet the needs of the citizens of the community. This is not easy and to be a member of a local council is to accept an arduous task deserving of status and recognition by the members of the community.

PLANNING

Planning is a key function. Some municipalities do not have their own planning staff, which they should. Planning is an all encompassing function and there is a need to co-ordinate all aspects of the operation in making decisions. There are particular points which come under planning which should be considered. For example, there is a need for area municipalities to redefine housing development standards, to encourage innovative housing design, to improve land use by allowing greater densities, and to encourage development which also fits in with the existing character and townscape of existing residential and commercial development. The challenge is there for councillors to play a leading role in this sphere. They have the means to do it through subdivision agreements, industrial promotion, review of residential projects, and ensuring that where future development may occur there is adequate provision of water, sewers, roads and other community facilities.

FIRE PROTECTION

Fire protection and fire prevention should remain the responsibility of the area council. The background study on fire

protection sets out a comprehensive list of the successes and failures in the areas of fire protection and fire prevention.

While the revision of municipal boundaries in 1970 has produced a more effective system of fire protection, some problems still remain. There is room for improvement in the matter of handling emergency calls and servicing these calls for assistance.

The Commission recommends the appropriate amendments to The Regional Act to establish the position of Regional Fire Co-ordinator, who is to be separate from any fire department. His duties would be to establish a common communication system for all fire departments in the Region; to establish training facilities and co-ordinate training programs for firefighters; to aid municipalities in reaching agreement on buying, selling and exchanging fire protection; to assist planning in the Region, while at the same time leaving the general responsibility for carrying out these functions with the area municipalities.

It is in the interest of these municipalities and their citizens that the appropriate steps be taken to provide a high level of fire protection and fire prevention. It is important that more stress be placed on fire prevention to avoid the possibility of fires, and on providing better safety features in case fire does occur.

BUILDING STANDARDS

Recent amendments have given to the area municipalities the responsibility to maintain building standards. The enforcement of the new Ontario Building Code lies with the area municipalities. This is appropriate since the local municipality is in the best position to ensure that the standards are adopted and enforced in an appropriate manner for each local municipality.

The Commission notes that prior to 1970 the police did most of the by-law enforcement. Today, police services are provided on a regional basis and there is a responsibility at the local level to carry out by-law enforcement. This function should continue with the area municipality. It provides an opportunity for local councils to employ qualified staff and to train staff about both local legislation and the local situation. Each municipality should have a Property Standards Committee.

THE LOCAL GOVERNMENTS

The local councils have a responsibility to present the viewpoint of the local municipality and to ensure that that viewpoint is both heard and known at the regional and provincial levels of government. Each level of government is entitled to its own viewpoint and they will not always coincide. It is important that they each be effectively expressed. They should be known and understood by the people who have to make the decisions and by the people who are affected by those decisions. The degree of local autonomy, which each municipality will have, will depend to a great extent on its own ability to accept the responsibility and consequences of the decisions which it makes.

Each council should determine its own structural organization in order to satisfy its own particular needs and requirements. There is a substantial difference between the requirements of Wainfleet and of St. Catharines or Niagara Falls.

The Commission believes that certain general principles should prevail, and should be applicable throughout the Region.

THE CLERK

The clerk should be the official responsible for the preparation of meeting agendas, for recording the decisions of the council committees and for receiving material from the officials who report to that committee. Determining the agenda might be done in consultation with the chairman of the committee and the head of the department reporting to that committee. The agenda should be prepared in the clerk's department, the reports attached to it and the material delivered by the clerk to those on the distribution list, which should include the Regional Clerk, Regional Councillors from the local municipality, any affected regional departments, and the clerks of adjoining or affected municipalities.

The clerk should keep the minutes and notify those who should be informed of council and committee activities. It is imperative that the local councillors themselves recognize that the clerks perform those functions in an appropriate manner.

THE QUESTION OF SECRECY

The Commission is very concerned that the councils carry on their activities in full public view. All too frequently elected representatives seem to think that it is enough to advise the public of a decision after the decision is made. All too frequently the tendency has been to seek to have private sessions or to go into Committee of the Whole and to exclude the press and the public. While there have been clear signs of a movement away from the process of secrecy, there is still need for improvement in opening up municipal councils and committees.

The Commissioner attended one session of the Planning Committee held in the basement of the Welland City Hall. The sign on the door said ''No Admission - Committee in Session''. People could enter to make application, but then had to retire while members of the Committee expressed their views and the Committee made its decision. The Finance Committee of Welland operated in the same manner.

In the opinion of the Commission, this is totally intolerable and inexcusable. People are entitled to know what is being planned for their community, how their money will be spent, and to know the views of their elected representatives on these and other subjects. Some have suggested that the responsibility for open meetings is with each committee. The Commission states clearly that if any committee of council regularly holds its meetings in the above manner, the responsibility rests with all members of council, and not just that Committee.

The Commission recognizes that not every council meeting and every committee meeting has to be held in open session. There will be times when it is appropriate to have private sessions. Nor can this matter be determined by law. It can only be determined by members of council, exercising their discretion and determining when it is appropriate to go in camera to discuss a particular matter. If the councillors fail to exercise this discretion wisely, then the media should expose it and the public should speak up.

In addition to having meetings of council and committees open to the public and the media, all relevant material should be released to the public and the media at the same time as it is issued to council members. Those making or opposing applications have a right to know what occurs during the decision-making process. A meeting can hardly be considered to be open when the size of the meeting room precludes the attendance of the media, the public and the applicant. To have space for the media only and not for the applicant or the public makes a mockery of open meetings.

Several municipal briefs were critical of the Provincial Government acting without proper prior consultation. This Commission has also criticized the Provincial Government for not allowing municipalities sufficient time to learn about and respond to certain matters, and time to prepare for or implement programs. It is important, however, that the area municipalities avoid the same pitfall. They should ensure that the people to whom they are responsible have knowledge of the matters coming before the committee or council and an opportunity to prepare their case and be present for the discussion.

COMMITTEE SYSTEMS

The area municipal councils are organized in a way that reflects their different histories, personalities and philosophies. The most common is the traditional committee system used in Welland, Fort Erie, Lincoln, Pelham and West Lincoln. Wainfleet is somewhat different in that its council meets as a whole for each committee. Generally, the standing committees of council supervise department heads and departmental work and consider matters which must come to council for decision. In this system, the committee chairmen usually

have considerable influence and there is no one administrative official in control of the administration.

The chief administrative officer system or a variant thereof is employed in St. Catharines, Niagara Falls and Niagara-on-the-Lake. There is no regular system of standing committees; instead it is the chief administrative officer who is responsible for preparing the budget, supervising the departments and proposing policies to council.

St. Catharines and Niagara-on-the-Lake have a general committee, and St. Catharines has an executive committee, which publicly consider matters before they come to council. The Commission suggests that Niagara Falls should have matters come before a committee before going to council to allow the public to be informed.

Port Colborne, Thorold and Fort Erie combine the chief administrative officer system along with the general committee system. The committees are able to concentrate on policy as opposed to administration, and the chief administrative officer works in conjunction with committee chairmen and department heads.

Whatever the organizational structure, it is apparent that local councils have dramatically reduced the number of standing committees over the past decade. Even in councils relying on the traditional committee system, standing committees have been reduced by at least 50 per cent. The reduction in the number of standing comittees makes for more efficient and responsible administration.

Those municipalities which retain the committee system are basically similar. With some minor variations, the local councils have four standing committees: finance, planning, public works and parks and recreation.

SPECIAL-PURPOSE BODIES

Another major concern of this Commission is special-purpose bodies and their relationship with the local councils. As long as the council is in the position to make decisions as to the continued existence of the special-purpose bodies and their financial support, these organizations can be both effective and satisfactory.

The Commission recommends that the local councils should assume the responsibilities of the Courts of Revision. The question of hydro commissions has been dealt with separately in the section on Hydro. The Committee of Adjustment and the Property Standards Committee are likely to grow in importance and are acquiring quasi-judicial functions. The jurisdiction of the Property Standards Committee now includes commercial as well as residential properties. These functions should be administered at the local level and there is considerable merit in keeping them separate.

Recreation and community centre boards operate various facilities and provide an important opportunity for citizens to participate in local affairs. With council control over the budget, the appointments and terms of reference, these boards can be of great benefit to the municipality.

The Commission does not believe that it is practical to lay down hard and fast rules or to spell out in legal fashion what the councils should do. It is imperative that councils ensure that the various departments operate smoothly and efficiently. Councils must co-ordinate their policy-making process so as to obtain the necessary information prior to making decisions.

Councils should encourage citizen involvement and provide assistance and facilities so that the public is fully aware of what council is doing. Councils should make every effort to carry out their deliberations in public.

DEPARTMENTAL STRUCTURE

Many details of the departmental structure are set out in the background study on municipal organization.

The Commission notes that while the actual number of departments may vary in each of the municipalities, the departments have become reasonably well integrated and have improved co-ordination and increased overall efficiency.

Sometimes the combination of staff, particularly those concerned with the function of the clerk and treasurer, provided that they are qualified personnel, may prove to be very effective and satisfactory for the needs of smaller communities and even more economical.

With the increasing complexity of the issues coming before the area municipalities, it is important that they stress the need for a high degree of departmental co-ordination and a highly qualified, competent and knowledgeable staff. It may be that the salaries for this staff will be higher than before. This only recognizes that a municipality gets what it pays for and that to secure the best operation, the municipality ought to pay for the best staff that it can afford.

The Commission has commented elsewhere on the particular problems related to staff complement. There is a need to be able to evaluate the complements of municipalities on a comparative basis. The Commission found serious difficulties in gaining accurate information in order to compare functional divisions and departmental responsibilities because of varied job descriptions and other factors between one municipality and another.

The Commission would like to comment favourably on the Local Government Management Project (LGMP) in St. Catharines, where responsibility for the project is shared between a project leader, who is a staff development officer in the Personnel Department, and a senior management committee consisting of the City Administrator and the city department heads. Unlike the Niagara Region, the City did not set up a task group committee. The St. Catharines Council directed the City Administrator to initiate the project and to involve them in it at the appropriate time. This approach is consistent with the Council's policy of delegating administrative matters to the City Administrator.

In late 1976, the project was both well established and at the stage where Council was involved. All city departments have defined their respective goals and a joint Council-Administration workshop has been held to discuss the future of the project. Responses to a questionnaire at the workshop suggest that Council views the LGMP process in a positive light and that the workshop format will continue. The St. Catharines project leader has indicated to the Commission that there is some support for continuing LGMP despite the eventual termination of provincial funding. The next major step is for Council to articulate the municipality's strategic goals and objectives.

On a broader basis, there is a need to communicate the results, good and bad, of the project in such a way that the other area municipalities may benefit from the project.

In conclusion, the area municipalities have the capacity to provide both the functions and services to meet the needs of the people in the local area. With a few improvements this could be done in a most effective and productive manner so that the citizens would have a better appreciation of what is being done for them and their community.

Chapter 7
City of Lincoln

That part of the Niagara Region bordering on Lake Ontario and located west of St. Catharines shares many common interests. The area has an agricultural base and contains some of the best farm and fruitland in the Province. It also enjoys the beneficial effects of the Escarpment. Its communities, many established long ago and with many historic traditions, could lose their identity if submerged in intensive urban development. The people share the common problem of maintaining their local identity and history, while simultaneously providing modern facilities for health and comfort.

A keen competitive spirit exists among the various communities in the area but they could probably work together as part of a larger municipality to achieve common benefits while retaining their own individual outlooks.

THE CONCEPT

The Commission claims no originality in the following proposals. They came out of discussions and reports emanating from within the area itself.

The Town of Lincoln was established in 1970 along with the Regional Municipality of Niagara. The Town of Lincoln consists of Beamsville, Jordan, Vineland, and parts of Louth and Clinton Townships. The initial proposal was to call it Beamsville, the largest of the then existing municipalities. The people of the area, by an area-wide vote, chose the name Lincoln. Special credit should go to the person who proposed the use of the name Lincoln. The four wards in the Town of Lincoln have been given the names of the former communities: Beamsville, Jordan, Vineland, and Clinton. Each of these communities has retained a very definite identity and community feeling. The municipal structure has provided common facilities for all the communities.

The Commission points out that this is a case of an unusual but positive situation developing from the regrouping of municipalities. The Commission is in favour of making every effort to retain as much community identity as possible in each of the communities. The Commission recognizes that in order to provide municipal facilities and services, there is merit in establishing a larger municipal structure which will provide them effectively and economically.

The Commission has noted the changing outlook of the people of Grimsby. Ten years ago they sought to be associated with Hamilton and Wentworth County. While they still retain employment and communication relationships with Hamilton, they are now placing more stress on developing their association with the communities of the Niagara Region.

The Grimsby Council spent a considerable amount of time in the preparation of its brief to this Commission. It was one of the few briefs discussed regularly and openly before the Council and received full coverage in the local newspaper. The question of amalgamation and larger units was raised. These events caused the Commission to examine a series of proposals for this area. The proposals are based on comments of the people of the area.

THE PROPOSAL

The proposal calls for the creation of the City of Lincoln, which is to be made up of many old established communities. It would bring together the communities of Grimsby, Beamsville, Vineland and Jordan and a portion of what is now a part of West St.Catharines. Grassie and Grimsby Centre, now in West Lincoln, would be regrouped with the community to the north.

The boundaries of the proposed City of Lincoln are set out in a map (Map 8) which shows that the proposed City of Lincoln would include the Towns of Lincoln and Grimsby along with a portion of the old Township of Louth and a portion of the former South Grimsby Township.

The proposed boundaries are therefore, as follows:

From Lake Ontario on the north, then generally along Third Street Louth to the Queen Elizabeth Way interchange with the proposed Highway 406, then along the westerly limit of Highway 406 to the hydro transmission line just east of First Street Louth, then south to the boundary between St. Catharines and Thorold; then westerly along the north limits of Thorold and Pelham, and being the existing southerly boundary of the Town of Lincoln, then westerly along the hydro transmission line which is located just south of Young Street to a point on the extension southerly of the west limit of the Town of Grimsby; then northerly along this extension and the present west limit of Grimsby to Lake Ontario.

The details of the area and population of the various parts of the proposed City of Lincoln are set out in Table 4 below.

The intent of this proposal is not put forth as a money-saving device. There may be some economies of scale but these may not be noticed in the requirements to provide either additional services or extension of present services. The basic objective is the

---

TABLE 4

City of Lincoln

Area and Population

Area	Population	Total Assessment $	Agricultural Acreage	Area (Sq. mi.)
Lincoln	14,252	115,387,000	41,510	63.7
Grimsby	15,555	116,704,000	16,880	25.1
Grassie	535	844,025	7,500	12.4*
Louth	2,173	2,864,447	20,000	10.4
TOTAL	32,515	235,799,572	85,890	111.6

* Approximation

provision of service at a level satisfactory to the residents without destroying the communities that exist.

The Commission is well aware of the difficulties of making accurate financial forecasts. It has had difficulty obtaining reliable comparative figures. The Commission has had a study prepared for the purpose of giving some indication of the possible financial implications of the proposed City of Lincoln. This study is included as Appendix 3. The study indicates that the proposal results in no serious financial imbalance. This report may be of general interest because it demonstrates the variations in municipal finance and how it is affected by the grant structures.

THE PURPOSE

It is proposed that a portion of West St. Catharines, mainly part of the former Township of Louth be added to the City of Lincoln. This area is substantially agricultural, and the easterly boundary generally follows the rural/urban boundary in the Region's Official Plan. The change would ease the development pressures on this area and decrease the likelihood of outward urban expansion by St. Catharines. The economic and social interests of the people in the rural portion of Louth are much more akin to those of the new City of Lincoln. St. Catharines has split Louth politically into parts of three different wards; the people have found it difficult, if not impossible, to have their interests represented on the local area council.

The addition of a portion of West Lincoln to the City of Lincoln is contemplated to bring Grassie and Grimsby Centre into the same new municipal structure. The existing municipal boundary (Mud Street) cuts the communities of Grassie and Grimsby Centre in half, making it difficult to maintain the desirable unity of these communities. The residents have indicated to the Commission that they are more oriented to and more willing to share with Grimsby; Grimsby seems willing to share community facilities with them. The residents from these areas have sought support from both Grimsby and West Lincoln; the more favourable response came from Grimsby in terms of providing help for recreational facilities and programs through the Mountain Association.

These two changes have advantages of their own, apart from the specific advantages for the proposed City of Lincoln.

These proposals have been brought forth to preserve the community of interest of the people in the area, and because of their common goals and concerns and their willingness to co-operate in solving common problems. The Commission does not believe in the "bigness is better" principle for its own sake. Elsewhere, it recommends the maintenance of Wainfleet and West Lincoln, and this proposal reduces the size of St. Catharines. The Commission opposes any southerly extension of the boundaries of St. Catharines into Thorold. The Commission's concern is to maintain a balance among the various municipalities within the Region, and to bring together those groups that have a common interest and which display a willingness to work together. The proposed City of Lincoln would be a basically rural municipality and, with a population of about 35,000, it could help ensure the preservation of farmland and the integrity, existence and identity of the various communities throughout the area.

The focus of political leaders, concerned citizens, and the agricultural community is on the ability of governments to preserve and protect the farmland, while also providing the facilities and services for the people in the urban and semi-urban parts of the community. By creating a strong rural municipality, agricultural interests will be in the forefront, and with an adequate assessment base and the necessary qualified staff, the leaders can make development decisions that neither compromise the interests of agriculture nor the interests of the various communities.

THE STRUCTURE

While some adjustment might have to be made in the electoral system as a result of the additions of the Grassie and Louth areas, much of the present system could simply be adapted. The existing wards in Lincoln and Grimsby, with slight modifications, could be continued; the new council would likely consist of eight aldermen and a mayor - a number suitable to a community of this size. The area would have two other regional councillors, one to be elected from the Grimsby/Grassie area, and the other from the Beamsville/Louth area. This would reduce the number of regional councillors by one, but would improve the application of the principle of representation by population. In addition, the Commission believes that there would be more effective representation from the stronger municipal structure.

Community facilities could be provided for the area as a whole rather than for each individual community. The Lincoln Town Hall in Beamsville should prove satisfactory for the new city, although some facilities might also be located in Grimsby. The area is well served by a good road system, if not over-supplied with roads in some cases. The area would benefit from both a transit and taxi system; the new municipality might help achieve the provision of these services.

Libraries, arenas, community halls, senior citizens' facilities, and the fairground would benefit from the co-operation which could more easily develop under a common municipal structure.

There would be some adjustment of service levels for library, recreation and sports facilities. Regardless of the size of the municipal structure, the Commission sees no way to resolve the arguments about the arena location or who it is that really pays the cost. This is a part of municipal life in Ontario. The hope is that some of the facilities will be provided so that people may take the time to use and enjoy them.

THE SERVICES

A major function of a municipal structure is the provision of services. The Commission believes that the proposed City of Lincoln would be in a better position to acquire some special services and newer types of equipment, and more particularly, to develop a specialist staff of its own without having to rely extensively on consultants for technical advice.

At the present time neither Grimsby nor Lincoln has planning department operations, and rely on planning consultants at an estimated annual cost of $60,000. While the major zoning by-laws and the official plans are nearly complete, it appears that the day-to-day work is going to require the regular attention of planners who would also be available to provide assistance to councillors and others. Planning problems can start from little situations which, if neglected, can cause considerable disruption at a later date.

Even within the urban boundaries, the changes in land use and the construction of new buildings will have a direct impact on the community. To be certain that the changes are beneficial will require careful watching. It will be more practical for a larger municipality to hire capable, well qualified planners to make their recommendations, along with alternative choices, so that the elected representatives of the people may make informed and intelligent decisions. With the increased concern for environmental matters, every proposal is going to require examination from that perspective. Planning today is not a simple matter; it involves housing accommodation, roads, schools, sewers, water - all of the many things that go into the make-up of the quality of life. In the area of the City of Lincoln there is a high quality of life, and it is the Commission's desire to provide opportunities to maintain and enhance that quality of life.

With respect to services to buildings - issuance of permits, building inspections and by-law enforcement - the new municipality, with a larger base, could have more qualified staff on a full-time basis.

There is already a high degree of co-operation between the Works Departments of Grimsby and Lincoln, which both operate in an efficient and friendly manner. As a single department it would probably find it easier to integrate services with the Region.

A sewage plant and water system is being developed to serve all of the urban component of the proposed City of Lincoln except some portions in the east, which will be serviced by other regional operations.

The proposed City of Lincoln would be better able to provide the fire protection and prevention services which are needed. A detailed background study on the fire departments in the Region was prepared and contains considerable information that would be of interest to the people of the City of Lincoln. Today, Grimsby and Lincoln each have a full-time fire chief. The fire chief in Grimsby was appointed a short time ago and the following quote taken from the St. Catharines Standard of July 17, 1976, indicates how important and crucial fire prevention activities are:

"During his first three weeks as full-time chief, he has found he was able to do many things he couldn't do before because of a lack of time. This includes home inspections for fire prevention, carried out with the aid of members of the department. At the moment, he is busy conducting fire safety inspections of small industries in the town and making diagrams to aid firefighters in case of emergency."

The Commission has been impressed with the ability of those in the clerks, treasury and personnel operations of the present municipalities. The Commission believes that there would be advantages for all the communities if they were working together in a single municipal structure. There would need to be some local facilities in Grimsby, but this could be easily worked out on a very satisfactory basis.

There would also be a reduction in the number of council and committee meetings which should make it easier for the media to cover and the public to follow. Perhaps, as a result, even more information might be made available to the community.

The Commission places this proposal before the people of the proposed City of Lincoln for their consideration. It does so because of the extensive community of interest within the area. The present Town of Lincoln is a municipal structure, not a community. The Commission believes that it is possible for several communities to exist within one municipal structure in such a way as to enhance the sense of community. The proposal is made in the interests of providing a form of government that will better serve the people of the area.

The Commission is quite aware that there will be some negative reaction to this proposal and that some will reject the proposal out of hand. However, the Commission requests that each person in the area sit back quietly and consider the issue from the perspective of not just the next ten or twelve months, but the next ten or fifteen years, and decide whether or not this proposal makes sense for the community.

This new municipality, with the staff, the resources, the strength and the potential political willpower would be well equipped to preserve the communities and the way of life which now exists throughout this area.

Chapter 8
Finance

MUNICIPAL FINANCE

This section will be of a general nature and will not present many figures. It is difficult to make valid comparisons where the type or level of service may vary, and where the degree of urbanization of communities differs. A low tax rate *may* imply minimal service levels whereas a high tax rate *may* imply active government involvement in the provision of many services. Thus it is difficult, if not impossible to make reasonable, practicable or understandable comparisons between and among municipalities with respect to the expenditure of money. The acid test is whether or not the people of that community feel that they are getting a satisfactory return for the amount of money that has been spent by way of service levels and benefits to the community. The evaluation of benefits and service levels is often difficult because sewage systems are underground and invisible while the provision of fresh water may be taken for granted and not even considered in the evaluation.

In this section, the Commission will deal with points of interest and principle that should be considered by the people of Niagara and their respective governments. The Commission would also like to point out that with respect to the various recommendations of this report, with the possible exception of transit, they do not involve expenditures of large sums of money. The Commission believes that small expenditures of public money may encourage others in the community to spend not only money, but time and effort in providing services and facilities for the community.

Appendix 3 contains a projection of estimated expenditures and tax revenues for the proposed City of Lincoln. While the tables in the Appendix are far from complete, the Commission notes that they do provide an indication of how money is raised, how grants are applied, what the effect of expenditures may be, what the contrasts are between rural and urban areas and other factors which affect the raising and spending of money.

Few subjects receive as much play in local media as the forecast tax rate and the expected increase in municipal taxes. This type of comment is a direct and forceful commentary on the local situation. If the same attention was given to the effect of the income tax, which runs something like $1,000 per capita in the Niagara Region, or the sales tax, which runs something like $250 per capita, then the public in the Region might have a better idea of the impact of the various types of taxes. The municipal tax - the property tax - represents only a partial source of municipal revenue. The regressive nature that has been traditionally associated with the property tax has been diminished in part by provincial tax credits and by increased conditional and unconditional transfer payments to the municipalities from the Federal and Provincial Governments, such as the density grants, the per capita grants, the equalization grants, road subsidies and welfare cost contributions and other items such as the farm tax rebate program, additional allowances for senior citizens, the provision of facilities and services for senior citizens and assisted home financing. These other grants have increased in the last few years and the municipal property tax has fallen out of line with other costs and below the level that might otherwise exist with the increase in services provided and the effects of inflation. There is, however, some merit in keeping the property tax low as a proportion of the individual's total tax liability.

Fundamentally, a sound municipal financial operation will ensure that the local government is providing a satisfactory

level of service to meet the needs of the community, that the council finances its current activities from current income, that it does not allow tax arrears to rise too high and that it is able to sell its debt at a reasonable and competitive rate in the financial markets of the world. The Niagara Region has been able to borrow money at very favourable interest rates. Steps are currently being taken by the new Regional Treasurer to lower the amount of outstanding tax arrears.

The municipalities must be keenly aware of the need to maintain existing facilities at proper operating standards so as not to eat up the benefits of prior expenditures. By delaying maintenance expenditures, the costs for correction and replacement will be higher in the future and thus the economy is false. An illustration of this in the Niagara Region is where developments were allowed to occur without the provision for adequate water and sewage facilities. The costs to provide these services are now greater than they would have been if they had been provided at the outset.

It is necessary to distinguish between levels of service, volumes of service, and the makeup of a backlog of services previously not provided. In the years immediately preceding the establishment of the Region of Niagara, some municipalities allowed service levels to deteriorate, failed to purchase equipment, and failed to hire staff, while others did the exact opposite. These differing approaches created distortions for the Niagara Region at the outset, and the Region assumed responsibility for makeup requirements and/or excess expenditures. By the establishment of the Regional Government, the tax burden for those functions and facilities which have a Region-wide purpose are now shared on a regional basis, while those which are of a strictly local nature can be paid for by the local municipality. The local municipality still has the freedom to provide higher service levels or additional facilities at the expense of the taxpayers of that municipality.

Many people find municipal taxes difficult to understand because of the variation with respect to mill rates. Fort Erie has fourteen different rates. Each of the area municipalities has different rates for its urban and rural sections. Differential rates occur because certain services can be taxed differently, and because some are affected by density grants, population grants, rebates and tax credits. Some projects, such as water and sewage and various housing projects, can be financed through government departments or agencies which offer a lower rate of interest and/or forgiveness of a portion of the loan. Thus, some projects such as water and sewer services may be financed at 8.75 per cent rate of interest and 80 cents on the dollar where other projects require 10.5 per cent interest and 100 cents on the dollar, thus making comparisons very difficult.

In many instances it is very difficult to decide what is regional and what is local. Canadian history is full of examples of the 'have' provinces helping the 'have not' provinces. This has always been a part of the Canadian community spirit. This Canadian spirit of community must be a part of the relationships between the local municipalities and the Region.

With respect to capital financing, the Commission recommends that the Regional Council should have the overall responsibility for and control over capital budget decisions, not only for Regional projects but for those proposed by the local municipalities. Proposed capital projects of the Regional and local governments should be submitted to the Ontario Municipal Board (O.M.B.) at the same time, along with the comments of the Regional Council. The Commission recommends that the O.M.B. curtail only the total capital program which a municipality cannot afford. In approving a capital budget, the O.M.B. should not intrude or interfere with the decision of the Regional Council or the local council as to the need for a particular project. The Commission recommends that the O.M.B.'s procedures for capital approvals be speeded up so that the delays which have occurred in the past be eliminated.

With the limited construction period in Ontario, it is important that approvals for construction projects be obtained as early as possible. The proposed earlier election date

and the assumption of duties by the new council at an earlier date (recommended elsewhere in this report), should expedite recommendations to the O.M.B. With the advance in decision-making, delays in actual construction work could be reduced, if not eliminated.

To give citizens an opportunity to object to a particular project will involve a new procedure. Before it is possible to proceed with a project, approval of the project itself rather than the financing of the project should be subject to an appeal to the O.M.B. Members of the community would receive notice of a project and then have the right to assess the merits of the project. The Commission favours the separation of assessment of the project by the community on its merits from the approval of the capital requirements. Financial approval could come from the O.M.B. in bulk or total amounts. If the O.M.B. does not provide financial approval sufficient to cover all projects proposed, then it should be left to the local and Regional councils to determine which of those projects will be undertaken, subject to any appeal on the merits of a project to the Ontario Municipal Board.

Major physical projects are often undertaken by the Provincial and Federal Governments. The Regional Government should have an opportunity to comment, before the projects are finalized and the contracts awarded, on the various proposals that are to be undertaken within the Region. While these governments may have a more extensive jurisdiction, they do not always have a superior knowledge of local conditions.

The Niagara Region, in consultation with the area municipalities, should establish a series of procedures so that new private development projects, involving new services should make a contribution towards the cost of provision of new services and facilities, be they local or regional. The Commission concurs in the policy of initial financial contribution as provided in municipal subdivision agreements. If the services are of a direct benefit to the new development, then the developer should pay those costs. If the benefits are shared by all in the local municipality or in the Niagara Region, then a portion of the costs should be paid out of the general revenue. Where imposts are charged, they should be based on the relative costs incurred by the Regional or local governments. Every effort should be made to restrain capital borrowing. Projects, wherever possible, should be financed out of current revenue.

The Commission recommends that wherever possible, financing by senior levels of government should be by unconditional grants. Conditional grants, in general, should be used to encourage the provision of specific services, which are either lacking, below a reasonable standard, or where there is inadequate support from the local council for provision of needed services. Conditional grants are feasible where there is a need to maintain a provincial or a national standard of service, such as payments under The Canada Assistance Act.

Municipalities should be providing the services that are needed, required, or desired by the members of the community. These services should be supplied regardless of whether the municipality receives subsidies. Too often, municipalities are prepared to spend money only for projects for which they receive subsidies. By increasing the unconditional grants, councils could get away from the concept of services related to the 20-cent dollar, the 50-cent dollar or the 75-cent dollar. Councils must learn to set their own priorities regardless of the subsidy limit so that money is spent on those projects that provide the services which are truly needed by the particular community.

Elected representatives must learn to make the decisions which are in the best interests of the community, even when they are neither the most popular nor the least expensive. The elected councils must be prepared to make responsible decisions after carefully reviewing expenditures and programs to ensure that they are appropriate and effective.

In October 1976, the Ministry of Treasury, Economics and Intergovernmental Affairs published a 55-page booklet which provided in a single handy format details of the various forms of financial assistance available to municipalities throughout the Province. It shows that a community group may have two, three or four sources to which it can go for financial support. The existence of these diverse sources provides alternative avenues for positive results. While this overall diversity may make the granting structure more complex, it also offers protection from bureaucracy, ministerial staffs and field offices, and thus increases the chances for a favourable response.

This Commission is satisfied that the Niagara Region and the area municipalities are on a sound financial basis; that the rate of municipal taxation has been reasonable, if not lower than might be expected; that there is a general basis of financial strength within the community and that the community can pay its reasonable contribution towards the cost of services that are needed. If anything, the tendency has been to delay certain projects from which immediate and direct benefits would accrue. Perhaps there has been some hesitation to realize that there are facilities and services that the community needs and for which the people are willing to pay.

This Commission recommends a modification of the legislation requiring municipalities to publish an audited statement in the local newspaper. The legislation should be broadened to provide for the publication of not only financial information but details of what the municipality has done and what it plans to do in the future. The Lincoln County Board of Education prepares a small tabloid item which is distributed in the dailies and weeklies throughout the area. The information in it is more valuable and helpful than the accounting tables and statements now required to be published by law.

The Commission does not consider the proposal for tax sharing with the other levels of government to be a rational or sensible solution for municipal financing. The Federal Government and to an extent, the Provincial Government, in their role as supervisors of the economy, must be able to adjust taxes in order to alleviate economic and social problems of a national or provincial nature, either to encourage employment, to battle inflation, to provide housing or to provide other facilities that are required for the benefit of all.

Ontario is already heavily involved in making money available to the municipal governments both on a conditional and unconditional basis. In fact, part of the current problem may be that Ontario has poured such large amounts of money into the municipalities in the past decade. The municipal property tax rate has been distorted by keeping it at an unduly low level. The tax rate on property, considering the services which are provided to people and property at the local level, probably remains a true bargain. Through the Ontario Tax Credit System, people with low incomes receive assistance for municipal taxes paid. There are also some special adjustments for those over the age of 60 or 65. Generally though, the municipal tax rate has been unduly low, and property has not really been paying its equitable share of the cost of services that are being distributed to it. The sooner market value assessment determines the tax levels, the sooner equitable and fair share payment of taxes will prevail.

Most people are more aware of what they pay in their realty taxes than in their provincial and federal income taxes, because the latter are usually deducted before take-home pay is determined. Few people are aware of what they pay in sales taxes. Twenty years ago, there was no sales tax in Ontario; today, the average citizen of Ontario pays approximately $250 in sales taxes annually.

This Commission supports the concept that the level of government which has the responsibility for providing a function should have the taxing ability to raise funds for carrying out that function and be held accountable for that tax. Because of the restrictions on the taxing power of the municipalities - substantially limited to the property tax - and rather than a shared-tax arrangement with another level of govern-

ment, this Commission recommends that a function be transferred to the provincial level so that the local and regional governments finance the functions for which they are responsible. Because the Provincial Government exercises so much control over the field of education, the Commission recommends that the Province assume the full cost of the financing of education.

EDUCATIONAL FINANCE

Today, the boards of education prepare their budgets, submit them to the municipal councils which then levy taxes on the property in each municipality. The municipal councils have neither the power nor the jurisdiction to change a single penny in those budgets. The school boards can raise funds for capital purposes, subject only to provincial regulations, but certainly not subject to controls by any municipal councils in the Niagara Region.

In the Niagara Region, the Province controls all facets of education and educational spending. This includes methodologies, operations, curricula, and the electoral system which is related to assessment and religion. The local boards may offer comments and advice with respect to education, but for the most part the real responsibility lies with the Provincial Government.

This Commission considers that if the Province is responsible for and has the control over education, then the Province should finance education. In practice there will be little difference between the boards of education submitting their budgets to the Provincial Ministry rather than to the municipal council. Today, the provincial ministries exercise responsibility over secondary and post-secondary education. It is paying for the costs of community colleges, universities and other educational facilities throughout the Province. The Province, through its ministries, has more power and jurisdiction over the activities in the field of education than does a municipal council.

To shift the cost of education to the Province, which has already assumed most of the operation and control of the educational system directly, would centralize all educational financing at a level of government which has the taxing sources to raise funds on a broad basis. This change would substantially alter the budgeting and financing operations in the municipalities. The cost of educational services now runs about 50 per cent of the money raised by municipal taxes. If this were removed from the municipal budget, then the transfer payments from the Province to the municipalities for other functions could be substantially reduced.

The change from local to provincial financing of education would represent a significant change. It would, however, make more visible the responsibilities of the municipality to both tax for and provide those services for which it has a direct responsibility. There would be a more direct relationship between the mill rate and what is happening in the municipality than there is today with the variety of subsidies and grants that come to the municipalities.

Many municipalities would still require some assistance from the Provincial Government. The Province should also continue to assist the provision of certain functions; for example, this Commission considers that grants for libraries should remain conditional. However, the extent of provincial financial assistance towards roads, water and sewer services could be substantially reduced; these funds would be collected from the municipal property tax. Without extensive provincial subsidies, municipalities may make their decisions based more on the actual and direct need and benefit of particular services. The municipal councils would have to make their decisions on spending money without concerning themselves with subsidies and the effect of spending 50-cent dollars.

This Commission is of the opinion that the local control of education, which is already at a minimal level, will not be lessened by this change. Control of education has already shifted to the Province. Once the Province has assumed the responsibility for

financing education, the local boards of education will express the viewpoints of the local people on a variety of aspects of the education system. This is presently done for other levels of education - it certainly can be done for the level that is now sending its bill to the municipal government

The Commission recommends that the Province, the boards of education and the municipalities jointly examine this proposal to transfer the total cost of the financing of education to the provincial level. The local boards of education would then either be granted amounts on a per student basis, similar to that now done for universities and colleges, or the boards of education would submit their budget directly to the Ministry of Education or to the local field office for approval. In either case, provincial standards would have to be met.

This Commission is aware of the fact that this recommendation is both significant and marks a break with tradition. Nevertheless the Commission believes that there is a need for some kind of breakthrough with respect to education and its financing within the Province. It would be inappropriate to place education under the complete control of the municipal council. This is not the way to solve the problem and would also result in constitutional problems regarding the status of the separate schools. The Commission accepts the need for provincial standards in the provision of education.

FARM TAX REDUCTION PROGRAM [FTRP]

The details of the Farm Tax Reduction Program (FTRP) are described at length in the background study carried out for the Commission by Smith, Auld & Associates Limited. Briefly, the FTRP involves the participation of four Provincial Ministries - Agriculture and Food, Treasury, Revenue, and Government Services - and the treasurers of the local municipalities.

In a speech on September 16, 1976, Darcy McKeough, the Provincial Treasurer, referred to the program as follows:

''As many of you will remember, this system began several years ago with a 25 per cent rebate. This was based on the principle that productive farmlands should not be subject to school taxes.

''Later, this rebate was doubled, on the grounds that a farmer shouldn't really have to pay school or municipal taxes on any of his productive land, but only on residential land and buildings on his farm.

''Our new proposal takes this principle one step further. For taxation purposes, farm residences and land they occupy would be assessed separately from the productive land, and the latter would cost the owner nothing in property taxes. At the same time, the residential part of the property would be treated like all other residences, in towns, in cities or wherever - assessed and taxed at half the market value.

''If you wonder why we favour a system of tax payments by the province, instead of a tax exemption for productive farmland, you must remember an exemption would deprive the municipality of revenue.''

The FTRP appears to be a clear illustration of a program set up to meet the special needs of a particular economic group within the Province. Ostensibly, it is to help farmers, but it is uncertain whether this program helps the agricultural producer with the greatest need.

In this regard, one of the difficult tasks for the Blair Commission will be to provide a definition of the term 'farm'. To determine the time at which land is converted to or from agricultural use is not an easy task. What would appear to be a simple definition is at the root of the ongoing debate within the Province regarding what land is agricultural and whether such land is being held in reserve or is actually being used.

The statistical data in the background study on Finance for this Commission indicates that there is a disparity between property tax burdens in rural and urban areas. The rural property taxes supply a substantially smaller proportion of the costs of local services, especially when the farm tax rebate is taken into account. It is possible to argue that tax advantages for rural ratepayers are required to aid the financially hard-pressed agricultural community; indeed, some financial assistance may be desirable, or necessary. Unfortunately, the property tax rebate is available to those who are not full-time farmers, but qualify either by hobby farming or by renting their small land holdings to farmers. This encourages people to purchase small farm acreages for essentially residential purposes, either because they prefer a rural lifestyle or because they see the possibility of financial gain if their land is ever zoned for increased residential use. The impact of this kind of 'farming' on legitimate agriculture is well known. The most important effect is the difficulties created for the farmers who want to acquire additional land to bring their holdings up to an economical size. A municipal treasurer commented there is an increasing demand for urban level service in rural areas; there were, for example, rural ratepayers who wanted roads capable of handling 60 mile per hour traffic. These demands come largely from the younger residents of rural areas, and undoubtedly from former city residents. The treasurer's concern was that increased urbanization of rural areas may produce a demand for services which cannot be provided economically at low rural densities.

Some of the demand for additional services are understandable, if only because rural ratepayers are, to the extent that they are being taxed on tax rebate farmland, paying for these services with 50-cent dollars. In this sense, more services are a good buy.

The Province's proposed property tax reforms may well exacerbate these problems. The current 50 per cent farm tax rebate will become, in effect, 100 per cent. This will make hobby farming even more attractive to the tax conscious individual.

The new proposals do plan to recapture up to ten years' property tax if the land use changes - a method used to curb speculative interest in small and rural holdings. The requirement to pay back taxes may reduce the gain if the land is converted for development purposes; but the absence of any taxes until that time reduces the costs and risks of holding the land in the interval.

In this event, services which are now purchased with 50-cent tax dollars will then be purchased with zero-cent tax dollars. This can do nothing but add to the demand for municipal services in rural areas, at greater cost to others in the municipalities.

The Commission recommends that the Farm Tax Reduction Program be more thoroughly examined to determine if it is effectively helping those who are actually using their land for agricultural production. The Commission also recommends that the FTRP should be examined to ascertain whether or not there is an alternative way of providing financial assistance to the farmers so that if there is pressure for additional services the benefactors will pay their fair share. It is further recommended that any change in tax rate should be determined by Act of the Legislature and not by Order in Council. In conjunction with this, if a similar program is continued, the Subsidies Branch of Treasury should be constituted on a more permanent basis in order to monitor the program.

Chapter 9
Education

This section on education examines the relationships of the educational system to the municipal political structure.

Dr.Mayo's report contained extensive recommendations regarding the regional system of education. In 1969, the Provincial Ministry of Education implemented, on a Province-wide basis, a new system of educational administration based on the county. The result was that in the Niagara Region there are two boards of education in each of the counties. In Lincoln County, there is the Lincoln County Board of Education and the Lincoln County Separate School Board; in Welland County, there is the Niagara South Board of Education and the Welland County Roman Catholic Separate School Board. In their submission to this Commission all four school boards favoured the maintenance of the status quo. They all rejected a return to the municipal level or an extension to a regional board. At this time, pending a resolution of the issue of financing, the present system need not be changed.

In the section on finance, the Commission recommends that the costs of education be borne directly by the Provincial Government.

In order to effect the change from municipal to provincial financing a new structure will have to be developed. Implementation of these changes will require a further examination and extensive consultations with local governments across the Province. Since 1971 there have been provincial ceilings on educational spending and capital expenditures have also been controlled by the Province. Presently, there are a number of educational institutions where financial responsibility rests solely with the Province. This is the case with Brock University and Niagara College of Applied Arts and Technology.

The Province already exercises considerable control over the operation of local school boards. Responsibility of these local boards has shifted more towards the relationships of the parent, student and teacher than the expenditure of funds which are substantially controlled by the Ministry.

Currently, each of the four boards of education operates its own separate bus route system, financed by the taxpayers, and used exclusively by a particular segment of the community. The Commission believes that these bus operations should be co-ordinated and brought under one jurisdiction. Since these systems are financed by the taxpayer, they should be operated for all on a shared benefit basis. This subject has been dealt with in greater depth in the section on transit.

Under the provisions of The Education Act of 1972, there is a system for electing educational representatives which is separate and distinct from the municipal electoral system. While the election takes place on the same day and during the same hours as the municipal elections, the constituencies vary from election to election. Population determines the size of the respective boards, but the representation on those boards is determined by separate or public school assessment.

Because representation is determined by farm and residential assessment and not by population, there are frequent changes in the number of representatives and the areas which they represent. It would be difficult if not almost impossible, to fit this changing school board system into the municipal structure of wards.

The Commission recommends that the Province establish the electoral system for the boards of education on a population basis and provide a simpler system for selecting

the representatives. The Commission favours a ward system, even if the wards must be different from those used for municipal elections. Presently, the people in St. Catharines must choose ten or eleven representatives on one ballot. The Commission favours the creation of smaller areas so that there is a smaller number of representatives to be chosen from each particular area. This has been done in other parts of the Province.

The Commission recommends that the names of the boards of education be changed from Lincoln and Welland County respectively to Niagara North and Niagara South, in order to ensure uniformity in names of public bodies and recognition that the counties have become part of the Region. This should also help promote regional identity - the lack of which is a serious problem for the Niagara Region.

Under the revised system, the locally elected representatives would still have much to do. They would be the voice of local opinion; they would examine the financial proposals with respect to local education; and they would negotiate with the Ministry to determine the extent of local expenditures. Their involvement with student, parent and teacher relationships would still be extensive.

Chapter 10
Federal Government

From a narrow constitutional perspective, it may be said that the Federal Government exercises no statutory authority over Canada's municipalities. This is not to say however, that the Federal Government does not influence policies and programs at the municipal level.

The Federal Government affects local government via the formulation of policies and the delivery of services in the specific functional areas over which it has statutory authority. These activities have an impact on municipalities both directly and indirectly. For example, Central Mortgage and Housing Corporation, a Federal Crown Corporation, has a direct effect on municipalities through its housing policies. The Federal Government indirectly influences local municipalities through its management of the Canadian economy.

The Federal Government, as a property owner and employer, makes its presence in the Region felt in the following ways: as owner and/or tenant of property and facilities, as a local employer and as a source of local taxes and grants in lieu of taxes.

The Welland Ship Canal is the most visible symbol of the federal presence. The Canal, which is operated and maintained by the St. Lawrence Seaway Authority - a Crown Corporation established by federal statute in 1951 - is a valuable economic asset of the Region and the Nation. During the fifteen month fiscal year ending March 31, 1976, the salaries and benefits of the employees of the Welland section of the Seaway System (which includes both the Welland Ship Canal and the locks at Sault Ste. Marie, Ontario) totalled over $13 million. During the same period, the expenditures on the Welland section of the Canal System were $46 million, while the revenues generated were only $6 million. More importantly, from the perspective of the municipalities that border on the Canal, the Authority paid out approximately $600,000 in grants in lieu of taxes.

There are 20 Crown-owned buildings in the Region as well as 24 leased premises. These properties are administered by the Federal Department of Public Works. The latter also owns more than 1,300 acres of surplus Canal lands that were relinquished by the St. Lawrence Seaway Authority on January 1, 1975. The Authority still retains some 1,200 acres in the Port Weller area. The Departments of National Defence and Indian and Northern Affairs (through Parks Canada) own significant amounts of property in the Town of Niagara-on-the-Lake. The purview of the Parks Canada program includes national parks, historic parks and sites, canals, national marine parks, national landmarks and wild rivers. Parks Canada has its headquarters in Ottawa, but operational responsibility for the program in Ontario rests with its regional office in Cornwall. This agency has recently announced its intention to undertake a $5 million program of expansion and renovation of its facilities and other holdings in the Town of Niagara-on-the-Lake.

Because of the extent of the federal involvement in the Niagara Region there are attendant problems for the regional and local governments. These problems are by no means unique to the Niagara Region, but the Commission hopes that by having the Region come to grips with them now, potential difficulties may be eliminated.

Federal activities can affect municipal policies and programs, particularly in the area of land use planning. The concern of Ontario's municipal leaders regarding this issue was outlined in a submission of the Municipal Liaison Committee to the Ontario

Tri-Level Conference in April 1976. The Committee asked the Federal Government to accept the Official Plan as the key instrument in the municipal planning process. The then Minister of State for Urban Affairs, Hon. Barnett Danson, replied: "We accept, therefore, that the municipalities are competent to set their own objectives and priorities, that the Official Plan is the statement of these objectives and priorities and that the Federal Government in delivering its program in the municipalities should support, as far as it can, these objectives." The Minister then went on to limit the role of the local municipalities in several ways. He suggested that federal programs which are national in scope, cannot be "totally compatible with each municipal plan." He also indicated that the Federal Government has a responsibility to establish national urban objectives in order to ensure the rational and effective use of public funds. National urban objectives, he further went on to say, may be required with respect to such matters as agricultural land, energy conservation, urban sprawl, environmental problems, inter-city and intra-city transportation, national demographic balance, and the survival of small to medium-size municipalities.

A multitude of intergovernmental mechanisms have been established for consultation and program co-ordination within the Canadian federal system. The need for such mechanisms has grown as the problems facing all levels of government have become more complex and interdependent. Frequently, it seems that these intergovernmental mechanisms must deal with those problems that spill over the jurisdictional borders of the other levels of government. While they are useful administrative expedients in a constitutional framework that is fairly rigid, they may also be used as devices designed to postpone important decisions or to create an illusion of participation and consultation. From the perspective of democratic decision-making, there are some signs that these bodies are becoming the preserve of appointed rather than elected officials.

Intergovernmental relations involving the local, regional and federal levels are evident in Niagara in two situations. One has to do with railway relocation and the other to do with the abandoned Welland Canal and adjacent lands.

As a result of joint federal/provincial action, the City of Niagara Falls is one of five Ontario communities that have been selected for a railway relocation study. The impetus for this initiative comes from The Railway Relocation and Crossing Act, a federal statute, of which the major objective is the improvement of the urban environment through the relocation of physical barriers against desirable urban development. In the case of Niagara Falls, both Conrail, formerly the Penn Central Railway, and the Canadian National Railway have tracks running through the central business and tourist districts of the City. The existence of these rail facilities increases vehicular and pedestrian congestion, detracts from the aesthetics of the urban environment, and precludes the development of revenue-generating residential and commercial projects.

The Regional Niagara/Niagara Falls Advisory Committee on Railway Relocation consists of both appointed and elected representatives from the Niagara Region, the City of Niagara Falls and the Niagara Parks Commission. The function of the Advisory Committee is to comment on the ongoing process of the Railway Relocation Study, as well as to report to the respective Councils of Niagara Falls and the Region. In addition, two technical committees have been set up, namely the Railway Relocation Technical Committee, and the Transportation Technical Committee. These two Committees involve staff from the federal, provincial, regional and municipal levels of government. The Railway Relocation Study itself involves the preparation of three types of plans: an urban development plan, indicating how the land vacated by the railways will be used; a transportation plan, proposing how the transportation system, including streets, crossings and bus routes, will function; and a financial plan, showing the costs and benefits of the above plans and how the relocation costs will be shared.

A disagreement between the Federal and Provincial Governments, caused by the Ontario Government's refusal to commit

funds for the project's implementation prior to the completion of the Railway Relocation Study, has temporarily derailed the work of the Advisory Committee on Railway Relocation. The costs of this Study are being borne 50 per cent by the Federal Government, 37.5 per cent by the Provincial Government, and 6.25 per cent each by the Niagara Region and the City of Niagara Falls. The Federal Government's position is that the funding for the implementation of this project should be shared on the same basis. As of the end of 1976, the Ontario Government had not seen fit to make such a commitment.

This impasse is similar to that encountered by the Four-Level Committee for the Evaluation of the Abandoned Welland Canal and Adjacent Lands. The decision of the St. Lawrence Seaway Authority to construct the Welland Canal By-pass was announced in December 1965. The plans for this project were formulated in deep secrecy and without external consultation. Even the Ontario Government was not informed about the project until three days before the official announcement. In light of the need to expropriate large tracts of land, this covert operation may have been necessary.

The Four-Level Committee, operative for approximately three years, is similar in structure to that of the Advisory Committee on Railway Relocation in that it consists of a political component and several technical components. The primary function of the Committee is to frame appropriate recommendations concerning the potential uses of the abandoned Canal lands under the jurisdiction of the Federal Department of Public Works. Professor John N.Jackson, of Brock University, in his submission to the Department of Public Works in 1974, suggested that the decision to build the Canal by-pass represented a case of professional/administrative tunnel vision in that technical or engineering considerations were emphasized without regard to significant urban and environmental consequences. Thus, more than ten years after the decision to build a by-pass, the Four-Level Committee is still grappling with the very urban and environmental issues that the Seaway Authority failed to consider at the outset. These issues run the gamut from the type of development that should occur on the abandoned lands to the impact of any proposals on traffic and redevelopment in the Welland City core. Only now is consideration being given to the urban and environmental factors. It would appear that the covert and unilateral character of the original decision has made the task of planning for the abandoned Canal lands an exceedingly complex and more difficult problem.

Secrecy was and still is the hallmark of the Canal situation and the recent decision to redeck the Main Street Bridge in Welland is an example. The redecking of the bridge was necessary from the point of view of safety and engineering. While the recommendation to redeck the bridge came out of a consultant's report, the decision to undertake this project took the affected parties by complete surprise. As to who saw the report, when was it distributed, and when did it arrive at the political level are still unanswered questions. But, somehow, somewhere, something happened. The merchants of Welland were enraged because of the timing of the project, namely during the Christmas shopping season. Two conclusions might be drawn from such occurrences. First, intergovernmental bodies cannot operate effectively if one level of government acts on its own and without consultation. Second the evidence suggests that elected officials, the political element, are not in control of these situations. Regional Councillor M.F.Hatch, quoted in the Welland Tribune, August 28, 1976, said that the options "are being explored at the bureaucratic level", and that it is an exchange of information to which political people on the Four-Level Committee have not been privy. He stated that these decisions are being made without disclosure to the Four-Level Committee and yet the Four-Level Committee is expected to carry out decisions on which they have had no input.

The Federal Government has intruded on the municipal planning process in other areas of the Region. Grievances exist with respect to Parks Canada's Master Plan for the Town of Niagara-on-the-Lake. The Federal Government's involvement will have a profound effect on the Town's inhabitants,

and of necessity, the Federal Government will be involved in the detailed planning. The Federal Government's initiatives can be justified on the grounds that there is a national interest in preserving the Town's historical sites. There is a clear need that before these plans are finally formulated and implemented, input from the affected local groups must be received and considered.

Niagara-on-the-Lake represents only one example where the implementation of national urban objectives, which are very general in nature, cut across a wide variety of political and administrative jurisdictions. These national urban objectives require further specification in order to avoid producing more indecision and inter-level conflict. This is perhaps an area where the Ministry of State for Urban Affairs can seize the initiative in light of its threefold role of policy development, policy co-ordination and intergovernmental liaison, and take an active part in the process.

A final comment on the role of co-ordinating agencies in the process of intergovernmental consultation and decision-making is warranted. The major problem with intergovernmental committees appears to be that they are too large and unwieldy. In recent years, both the Federal and Provincial Governments have created a number of agencies whose sole purpose is to co-ordinate and integrate the policies and activities of that particular level of government. If these agencies, such as the Federal Ministry of State for Urban Affairs, are to be real mechanisms of co-ordination, it should be possible for them to act as spokesmen for their respective levels of government. If this were in fact the case, the number of mechanisms involved would decrease and the process of intergovernmental bargaining in negotiation would become more manageable. This Commission believes that co-ordinating agencies must play more than a cosmetic role. It is therefore desirable that, at the federal level, the Ministry of State for Urban Affairs act as the federal spokesman for such departments as Public Works and Transport as well as such federal agencies as the St. Lawrence Seaway Authority. Similarly, in Ontario, the Policy Secretaries could act as spokesmen for the various provincial ministries involved from time to time in the intergovernmental committees.

Other issues deserve comment in this report. First, this Commission recommends that Statistics Canada and Central Mortgage and Housing Corporation gather statistics and other data specifically applicable to the Niagara Region. While this may seem to be a small matter, it relates to the visibility and identity of the Region as separate and distinct from the communities of St. Catharines and Niagara Falls.

Second, as a major property owner in the Niagara Region, the Federal Government pays grants in lieu of taxes on its property. It would be more equitable for all levels of government to pay municipal property taxes. It is therefore, strongly recommended by this Commission that the Federal Government pay municipal taxes on its facilities and lands, not only in the Niagara Region, but elsewhere.

Third, while it would require a legislative change, it would be useful to have the Niagara Region appoint a member to the St. Lawrence Seaway Authority. This precedent has already been set by the various harbour commissions. A regional appointee would act as a useful link between the Authority and the municipalities that are affected by the operation of the Welland Ship Canal.

Fourth, changes in Post Office Canada have been a matter of considerable local concern. The address on an envelope may stir pride or concern. While many of the communities have retained their postal identity, others have lost theirs with the introduction of the new postal code. At the heart of this issue is the designation of rural routes. Post Office Canada bases the rural routes on the post office out of which the mail is delivered, even when located across a municipal boundary. Thus, Fort Erie has retained the rural route designation for communities such as Stevensville, Sherkston, Ridgeway and Fort Erie. By contrast, in Niagara-on-the-Lake, with the location of the new post office in Virgil, all of the rural routes have been designated on a Niagara-on-the-Lake name basis.

Many who live in the new part of Niagara Falls are still on the rural routes for Welland. This problem is not easily resolved. It may be that people will have to learn to distinguish between deliveries by mail and those which come by other means. The Commission found it difficult to locate some people by their rural routes. In most cases people have either a street address and number, or a lot and concession number. Some of the maps issued by the Region and by others indicate the lot and concession numbers in the rural areas.

The Commission suggests that people consult their elected representatives, either their local councillor or their Member of Parliament. It will be only by a combination of efforts of the people with their elected representatives that some solution to the problem can be achieved.

The people of the Region feel grateful that the post office has kindly allowed ten special mail boxes for the mailing of letters from Niagara Falls, so that Niagara Falls will not be spelled L2E 2L0 on the love letters going home to the parents of the honeymooners staying in Niagara Falls.

Finally, reference should be made to the recent decisions of the Federal Electoral Boundaries Commission concerning the boundaries of the five federal constituencies within the Niagara Region. While it is recognized that the task of drawing political boundaries at any level of government is seldom without controversy or opposition, this Commission supports some of the points raised by a variety of local groups against the new riding boundaries within the Region. This Commission supports the position advanced by William Andres, M.P. for the Riding of Lincoln, when he raised objections about the fragmentation of the rural community in Niagara. This is consistent with the Commission's proposal for the new City of Lincoln. Furthermore, the decision of the Federal Electoral Boundaries Commission to create federal ridings that cross-cut the boundaries of different regional municipalities is contrary to the best interests of the local communities.

This Commission supports the position espoused by the Ontario Government that regional boundaries should be used wherever possible by other institutions.

Chapter 11
Electoral System

Elections at the local level are the foundation of the democratic system of our municipal, provincial and federal governments.

True democracy provides the people, not only with the opportunity of choosing those who will govern their community, but also with the right to replace them on a regularly recurring basis.

ELECTION DATE

Municipal election dates in Ontario occur in the winter. For many years, municipal councils were elected on January 1 and assumed office the following day. More recently, elections have taken place on the first Monday in December with the new council taking office, as before, at the beginning of the new year.

The first Monday in December date has been criticized because the possibility of bad weather and its proximity to the Christmas season could discourage people from voting. However, neither the weather nor the time of year has deterred the voters when there was either a hot political issue or strong visible candidates vying for office. If, however, several offices are being filled by acclamation, and there are no burning issues during a campaign, the turnout is usually very low. These points have already been proven in the short history of the Niagara Region.

There are more valid reasons than the weather, the proximity to the holidays and the separation of political advertisements from the pre-Christmas sale ads, for changing the election date.

This Commission recommends that the municipal election date should be changed to the first Thursday after the second Monday in October. The newly-elected council would take office on November 1 and hold its first council meeting in the subsequent week. The Thursday recommended follows the Monday Thanksgiving Day holiday, which occurs on the second Monday in October. Municipal elections would come to be associated with the period following the Thanksgiving weekend. As long as three days were allowed for the filing of nominations, there would be no conflict with any holiday period. The Remembrance Day holiday caused some conflict with the nomination dates in 1976.

The November 1 date for the new council to assume its responsibility was selected to give this new council an opportunity to meet with the staff, form its committees, and begin the detailed preparation and examination of the financial budgets and allocations for the following fiscal year.

An additional advantage of having councils begin their terms on November 1 involves the Regional Council. The important position of Regional Chairman would be determined by mid-November, not mid-January.

In mid-January, 1977, three regional chairmen in Ontario were elected for the first time necessitating other changes in the composition of their councils.

The new council would thus be able to give the approvals for financing the physical work to be undertaken during the following year - and get the paperwork cleared away - in time to take full advantage of good weather in the spring. This would achieve more benefit than a longer term of office.

In Canada, construction work is normally planned to start in the spring and to finish before the snow flies in the fall. In off-election years, most of the budget work and planning is now done in November and December. In order to get construction work started as soon as possible in the spring following an election, an earlier budget start would be a great advantage. Advance financial planning could be done every year.

Presently the municipal fiscal year runs from January 1 to December 31. This will not have to be changed. Under the proposed system, the new council would be able to make financial decisions in November and December which would be reflected in the budget which the council will have to present for the fiscal year beginning in January. As it is now, when three-quarters of the council has been re-elected, they subsequently are permitted to make budgetary changes.

Provisions of the Municipal Act presently restrict expenditures to those that have been previously approved in the estimates, or by by-law before election date. These restrictions would still apply in the interim period before November 1. Some modification of the rule that a council may not commit itself beyond its term may be required. This could be tied to the budget or the fiscal year, and certainly could be noted in Ontario Municipal Board approvals.

Frequently, in election years, the tendency of councils after September is to put off many decisions until January. This Commission believes that the new council should take office as soon as possible and have the maximum opportunity to prepare for the whole year ahead.

Having municipal elections every second year on the first Thursday following the second Monday in October, across the Province of Ontario, should not inconvenience either the Federal Government or the Provincial Government when scheduling their own election dates.

The Commission recommends that nominations be filed with the clerk of the municipality during a three-day period ending on the fourth Thursday before election day. This would allow the clerk ample time to prepare the ballots, to carry out other work and would alleviate some of the rush and pressure of election preparation. The three-day nomination period overcomes any conflict with the Jewish Holidays which occur during September and October.

The four-week period would also provide an ample opportunity for the media to review and comment on all candidates, including those running for the Boards of Education. Too often education issues get lost in the coverage of municipal elections.

The advance poll should be at least one day - and possibly three - including a Saturday and a Thursday in the 14 days preceding the election. These advance polls should be open to any person who indicates that he will not be able to vote on election day or for whom it will be more convenient to vote at the advance poll. It is another way of making it easier for people to cast their ballots in an election. The advance poll on the Saturday of Thanksgiving weekend would also make it more convenient for cottage residents to vote.

The whole object of the program recommended here is to facilitate the election process, to make it easier for people to vote and to allow the new council to get down to real work as soon as possible after it is elected. At least two months are necessary to plan adequately for new programs in the new fiscal year.

Whenever a vacancy occurs on a regional or municipal council, prior to February 1 in an election year, provision should be made for a by-election. The voters' list from the previous election should be used, subject to a period of revision. While this may be an expensive method, it is in keeping with the spirit of democracy.

Provision should be made for the Regional Council to have authority to place a question on the ballot to be voted on in all area municipalities or those designated by the Region. The Commission does not favour government by referendum, but does recog-

nize the occasional need to place questions before the public and to obtain their collective opinion in a formal manner. By placing the question on the ballot, it often prompts public discussion, which is a desirable end in itself.

The rules with respect to the destruction of ballots and election documents should be reviewed. Election materials, in the possession of the clerk, should be accessible for inspection, under proper supervision, by any elector if a relevant doubt arises.

ENUMERATION

In Ontario, the enumeration of people for electoral purposes and the assessment of property come under one provincial ministry which has the responsibility of turning out market-value assessments, and lists of those to whom tax bills should be sent. The same department is entrusted with the responsibility of making up the voters' lists.

Enumeration for municipal elections starts now on the first Tuesday of September. During the following two weeks, a large force of temporary workers enumerates the voters. It takes another three weeks to get the lists put into the computer. Municipal clerks receive the computer lists about mid-October and then have the responsibility of getting the lists printed and forwarded to the interested candidates. The printed lists are available in the last week of October, after the election campaigns have already begun.

The Commission recommends that the municipalities through their clerks' offices should carry out the enumeration during the first three weeks of June, taking the time to get the details (religion, nationality, sex, residence, age and other facts) correctly. The enumerators would use material from the Assessment Office records. During the month of July, the information would be double-checked to eliminate the many errors which now occur and put through the computer. The voters' lists could be prepared with ample time to have them printed by the computer or other methods. A voters' list would be available well before the end of August, a full seven or eight weeks before the election date. This would also allow time for the posting of individual polling lists in various parts of the community. The lists should be generally available throughout the community in places where people may see them easily and readily prior to the time for revision.

This new procedure would extend the period between enumeration and the election from approximately three months to approximately four months. Figures from Niagara Land Registry Offices indicate that there is fairly steady movement of people throughout the year, and often the autumn shows very high rates of mobility. (See Table 5.) The Commission recommends elsewhere that a special form be attached to a deed of conveyance in order to expedite the information going from the assessment office to the tax collector and to the clerks of the municipalities. When tenants change residences, they could fill out a card, similar to that used by the post office for change of address, and send it to the municipal clerk or the assessment office to give the details of their new location.

In some locations, the presence of university students would create a problem. Under the present system, many students miss enumeration by a few days or a week. A special effort must be made to pick up those names.

In communities where there is a large university population, clerks could make arrangements with the university to enable students to register for voting when they register for courses. A similar procedure is used in Kingston for students attending Queen's University.

While on the subject of the assessment roll, the Commission recommends that the present dual vote allowed to those individuals who pay commercial or business tax be eliminated, just as the plural vote was eliminated in 1972. The qualification for

TABLE 5

Record of Registered Conveyances - Regional Municipality of Niagara

	Jan.	Feb.	Mar	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total
1972	821	812	1071	978	1222	1531	1178	1359	1282	1088	1170	992	13,504
1973	888	886	1237	1129	1385	1786	1476	1512	1141	1379	1515	1130	15,464
1974	1138	976	1263	1400	1796	1443	1169	1269	1072	1020	957	865	14,368
1975	759	709	726	1103	1302	1440	1295	1540	1430	1757	1315	1875	15,251
1976	701	710	1084	1346	1360	1513	1321	1303	1331	1174	1181	1197	14,221

voting should be that the person votes in the place where he resides, or where he personally pays taxes on property assessed as residential. This is a provision which will permit those who have summer cottages, or a second residential property, to cast a vote in that municipality, but it eliminates the inequity and confusion that arises when the vote is given to some who pay commercial and business taxes but is denied to others who pay considerably more.

The purpose of the enumeration system is to ensure that those people who should have the right to vote are listed. Careful scrutineering by election officials can ensure that people not qualified do not vote. The Commission's proposals will facilitate the voter getting his name on the list. Enumeration would take place in June and the voters' lists would be published and circulated some time in August. The clerk would conduct a period of revision - an improvement effected in The Election Act of 1972. In addition, clerks can issue certificates and a person's name may be added at the polling station if he is properly identified. Many methods exist, even the power to appoint a proxy, to provide the voter with the opportunity to exercise his franchise. With all these provisions to ensure voters' rights, it seems only logical to allow more time than at present for enumeration and preparation of the voters' lists. There is no reason for the Provincial Assessment Office and the municipal clerks' offices to be in the frenzy they are under the present system.

More preparation time should be allowed for the technical aspects of an election, to give the voter an opportunity to see the voters' list, to give the candidates an opportunity to review it and plan their personal contacts.

Federal elections can take place in under sixty days and provincial elections in fewer than forty. These elections are irregular occurrences over broad territorial expanses. Regularly scheduled municipal elections within smaller areas should be carried out over shorter periods of time with the proper framework for preparation of election documents.

The Commission concurs with having all municipal elections on the same date throughout the Province.

ELECTORAL TERM

The Commissioner has had personal experience with both the two and three-year terms and has previously argued for the three-year term. However, experience and knowledge has now convinced him that the two-year term is more suitable. With the reduction in the number of municipalities, the need is to provide greater opportunity for citizen participation in municipal activities and the possibility of changing the make-up of councils at reasonable intervals.

Some raise the question of the cost of campaigning as a reason to reduce the number of campaigns. This argument has little merit. Candidates who merit endorsement by the community seldom, if ever, lack financial, physical or personal support.

The Commission strongly recommends that the two-year term of office should be continued, as it is more concerned with ability than with longevity. Politicians who are going to accomplish anything can do it within a two-year term.

Qualifications for nomination to municipal office should be as minimal as possible. There is really no known method to eliminate the nuisance candidate. Deposits are ineffective. A large number of signatures on the nomination form only makes it more difficult for all potential candidates. A nomination form signed by five people who are qualified to be electors, ought to be sufficient.

COUNCIL SIZE AND DUAL SERVICE

The Regional Council consists of 16 councillors elected separately and directly to the Regional Council and the mayors of the local municipalities. This combination of

both directly and indirectly elected representatives on the Regional Council has not proven to have helped create a regional identity, or enhance the concept or existence of a regional government. It is acknowledged, however, that this form of election is not necessarily the root cause of the weaknesses in the Niagara Region.

With fewer, and more specific choices, the electorate would have an opportunity to have a better knowledge of the candidates' qualifications and where they stand on the various issues.

Basically, the present electoral representation system should be continued, subject to some adjustments within the Region as the population of the municipality increases, in accordance with the formula previously adopted. This formula is set out in the following table, Table 6.

Two alternative formulae for the size of councils have been examined but, like the present formula, neither is without problems.

It is up to each of the local councils to determine its appropriate size. While smaller councils might be best, it is necessary to ensure that there is adequate representation of local communities.

Two tables have been prepared showing various council sizes with a varying number of representatives on the Regional Council. Table 7 presents the data when the mayor is elected at-large and Table 8 when the mayor is chosen from among the council members.

When the time comes for Pelham and possibly West Lincoln to obtain an additional representative as a result of population growth, consideration might then be given to

---

TABLE 6

Regional Representation Formula

For each area municipality, the mayor is a representative on Regional Council, and additional representatives are provided based on population as follows:

The Mayor, plus	-	for 10,000 people - 1 representative
		for 30,000 people - 2 representatives
		for 50,000 people - 3 representatives
		for 70,000 people - 4 representatives
		for 90,000 people - 5 representatives
		for 110,000 people - 6 representatives

TABLE 7

Electoral Structures Available

Local Council

No.of Regional Reps	With Regional Reps	Without Regional Reps	No.of Local Wards	Local Reps per Ward	Regional Reps per Ward	Mayor	No.of Voter Choices
7	19	13	6	2	1	1	4
7	13	7	6	1	1	1	3
6	16	11	5	2	1	1	4
6	11	6	5	1	1	1	3
5	9	5	4	1	1	1	3
5	13	9	4	2	1	1	4
5	13	9	8	1	1 for 2	1	3
4	10	7	3	2	1	1	4
4	10	7	6	1	1 for 2	1	3
4	13	10	9	1	1 for 3	1	3
4	16	13	6	2	1 for 2	1	4
3	11	9	4	2	1 for 4	1	4
3	15	13	6	2	1 for 3	1	4
3	9	7	6	1	1 for 3	1	3
2	5	4	3	1	1 for 3	1	3
2	8	7	3	2	1	1	4
2	6	5	4	1	1 for 4	1	3
2	10	9	4	2	1 for 4	1	4
2	7	6	5	1	1 for 5	1	3
2	8	7	6	1	1 for 6	1	3
2	14	13	6	2	1 for 6	1	4

TABLE 8

Electoral Structures Available
(Mayor chosen by Council)

Local Council

No.of Regional Reps	With Regional Reps	Without Regional Reps	No.of Local Wards	Local Reps per Wards	Regional Reps per Ward	No.of Voter Choices
7	21	14	7	2	1	3
7	14	7	7	1	1	2
6	18	12	6	2	1	3
6	12	6	6	1	1	2
6	18	12	12	1	1 for 2	2
5	15	10	5	2	1	3
5	15	10	10	1	1 for 2	2
4	12	8	4	2	1	3
4	12	8	8	1	1 for 2	2
4	20	16	8	2	1 for 2	3
3	9	6	3	2	1	3
3	12	9	9	1	1 for 3	2
3	9	6	6	1	1 for 2	2
2	10	8	4	2	1 for 2	3
2	8	6	6	1	2 for 3	3
2	14	12	6	2	1 for 3	3

providing an additional representative for both St. Catharines and Niagara Falls, even without a population change.

Representation on a regional council cannot be based on assessment. Larger municipalities, which pay the greater portion of the taxes, may think that they should have the greater say. This does not apply to either the federal or provincial levels; nor can it be expected to apply at the municipal level.

The phrase, 'direct election', should be clarified. There are 16 Regional Councillors who are elected directly and only to the Regional Council. By normal definition, the mayors are elected directly to the position of mayor, and serve, by virtue of that position, indirectly as representatives on the Regional Council. It is the opinion, however, of this Commission, that the mayors are elected directly to fill two positions - namely that of mayor of the local municipality and also Regional Councillor. In practice, the mayors campaign on local issues and are, therefore, seen as being local representatives. If the regional issues were more visible, then mayors might be seen as being elected directly to fill both the positions of mayor and of Regional Councillor. If, in fact, the mayors exert any additional influence, it is not because of their dual service, but because they spend more time at their jobs and as one of them has said, ''We keep our channels of communication open.''

The terms, 'direct' and 'indirect', are confusing. Perhaps it would be more useful to say that all the representatives are elected 'directly' but that some perform dual service.

The Commission considered changing to a system whereby all members of the Regional Council would also serve on their respective local councils. It also considered a system whereby the mayors and some, but not all, of the councillors would serve on the Regional Council and the local councils. The conclusion reached by the Commission is to recommend continuance of the existing system. However, it recommends that this be reviewed again in four years. Niagara is the only regional government in Ontario with this method of electing the Regional Council. More time is needed to evaluate whether or not this system is the best method for choosing the members of the Regional Council.

Observation of local government both within this Region and elsewhere demonstrates that representatives, while heeding local concerns, may adopt a broader perspective to issues regardless of whether they are from the local level or the regional level. This depends on the individual and his approach to politics. A point that favours the dual service role is that the more experienced and more qualified representatives have tended to run for Regional Council. Their ability and experience are thus lost to the local level on a continuing basis. If all Regional Councillors were to sit on their local councils as well, their experience and expertise would also be available at the local level.

WARD SYSTEMS

It would be desirable to simplify the electoral structure so as to reduce the number of choices to a more manageable number. In the 1974 elections, some Niagara Falls separate school voters would have received four ballots; would have had to choose 8 out of 21 people running for alderman, 3 out of 5 for regional councillor, 2 out of 4 for the separate school positions on the Niagara South Board of Education, 5 out of 8 for the Welland County Roman Catholic Separate School Board; at that, he would not have cast a vote for mayor, who was acclaimed.

The Commission recommends that all municipalities in the Region, except possibly Wainfleet, adopt a ward system so that the Regional Councillors may be chosen by a combination of wards rather than on an at-large basis within a particular municipality. Of course, for the smaller municipalities which have only one regional representative, he will continue to be elected at-large. Reference to Tables 7 and 8 will help to

clarify this point. If, for example, an area municipality has two regional representatives and two wards, then one representative would be elected from each ward. If, however, there are four wards, then each representative would be elected from a regional ward consisting of two local wards.

In drawing ward boundaries, care should be taken to bring communities together - not to split them. In larger communities the ward size may make it necessary to divide a community into separate wards. In the present Town of Lincoln, the urban community of Beamsville was divided into two wards so that both the northern and southern sections would have representation. This approach makes sense. By contrast, the community of Louth in St. Catharines was split up into three separate wards. This process left Louth without an opportunity to retain its sense of community in the political sphere.

Wards should be given names, not numbers - either of communities or of local historic associations.

Ward boundaries should be reviewed and revised at least every ten years, possibly following the census, and more often if required by changes in population. The structuring of the wards in St. Catharines, Niagara Falls and Fort Erie should be reviewed immediately to achieve a more representative balance.

In determining the size and shape of the wards, the representation by population principle should not be the only consideration. While every effort must be made to adhere to this principle, geography, a sense of community, community size, population spread and municipal structure must also be taken into consideration when determining electoral boundaries.

Municipal councils should have the right to recommend proposals for a revision of the ward structure, to do so well before an election and then to have it confirmed by the Ontario Municipal Board (O.M.B.). There should be provision for a public hearing. Presently, a submission is made to the O.M.B. which then determines the ward boundaries. The Commission believes that it is better for the municipality to make its specific proposal and then have it confirmed or changed by the O.M.B.

The procedure for changing ward boundaries should be standardized throughout the Province. One municipality in the Niagara Region almost lost its opportunity to have a ward system because one piece of legislation was overlooked. This was notwithstanding the fact that the people within that area had voted for a ward system.

The Commission believes that the ward system has many advantages. Not only does it simplify the choice for the voter, but it also provides an opportunity for representation from an area smaller than the municipality. It would enable an elected representative to keep in closer and more direct contact with the electorate of that smaller area or territory. It reduces the geographical area of immediate political activity and may leave more time to apply to general issues. The ward system often gives a better chance for a candidate to get elected in the first place.

Some fear that a ward system may make it more difficult for good candidates to be elected. Indeed, some good candidates may be defeated but in elections many candidates, both good and bad, are defeated. The ideal, whether by election at-large or by wards, would be to choose from all good candidates; the electors could then choose the best of the good ones.

ELECTION OF CHAIRMAN

The Commission agrees that the Regional Council should choose its own Chairman. The time should come, however, when the Chairman should be a member of Council. A ward system would make it more practical for the Chairman to be an elected representative on Council, a position which he would continue to hold while serving as Chairman, as do wardens and prime ministers.

When council has to elect people or make appointments, such as the chairman of Council, chairmen of committees or members of various boards, authorities or commissions, it should be done publicly, even if informally and in advance.

A practical way is to have each member write or mark his choice or choices on a piece of paper, sign his name and hand the paper to the Clerk. The Clerk will then read out how each member has voted and tally and record the result. Legislation should be amended to remove any doubts about this procedure.

The Commission favours selecting the mayors as well as the Chairman from among the members of the respective municipal Council. The Commission believes that this would create a more responsible and responsive system, whereby the Council, which will have to work with the mayor, will have a visible responsibility to choose someone who can do a good job and bring credit to the Council. The separate election of the mayor has been imported from the United States, but there is not the separation of the executive and the legislative functions to go along with it. To select the head of council from amongst the members of council is not a new idea. That is the system which the Baldwin Act applied. It is the way the wardens have been chosen by the county councils throughout Ontario, and it is the system by which the chairmen of the boards of education, which spend about half of the municipal budgets, have been selected in Ontario. The selection of the mayor by the members of council has been recommended by many others who have examined the Ontario municipal scene - Dr. Henry Mayo, M.J. Powell in her study for this Commission, the 1976 City of London Ontario Report and Paul Hickey in his report entitled Decision-making Processes in Ontario's Local Governments, with a summary of 9 Systems of Local Decision-making in other Canadian provinces, the United States and England, 1973.

It took a while to effect the elimination of the Board of Control, another American import, as well as the one-year term, and the election on New Year's Day. It may take a while to change this procedure but the proposal is worthwhile.

The Commission considers that there should be a Co-ordinating Committee in the larger councils - those that have more than ten members. Its decisions should be submitted to Council and subject to change by a simple majority of council.

The Council should also be able to replace the Co-ordinating Committee by a motion after 14 days notice but voted for by a majority of all the members of Council. This motion would be to replace the entire Co-ordinating Committee and have a new election for a new Co-ordinating Committee.

EDUCATION ELECTIONS

The method for electing members to the boards of education throughout the Region is very complex. The distribution of these representatives is allocated by type of municipality, by religion and by assessment - including residential and farm assessment, but excluding commercial and industrial assessment - among the municipalities on a system that can change every second election. In order to reduce the large number to be chosen at-large in any one municipality, the municipality should have the opportunity to determine if wards are necessary. The number of representatives to the board of education to be elected in any one municipality is to be determined by the Regional Clerk before September 1. In the 1976 election year, the Regional Clerk's notification was dated August 27. If this determination were made earlier in the year, there would be more time to divide large areas into wards thereby giving the electors a better chance to choose from among a smaller number of candidates.

While the Commission favours the ward structure, it recognizes that the existing formula for determining the number of public and separate school representatives to sit on the boards of education and the specific area from which they will come, has made it very difficult, if not impossible, to establish a stable ward structure. It is unlikely under

present legislation that there can be any relationship between the wards for the council elections and the wards for the board of education elections.

The following example demonstrates the changing boundaries for board of education wards. In 1974, Pelham, Wainfleet and Thorold chose a single representative; Fort Erie and Port Colborne chose a single representative. In the 1976 election, Thorold alone chose one representative, while Fort Erie, Port Colborne, Pelham and Wainfleet selected another.

The Commission has elsewhere recommended that the education function be financed solely by the Province. It is up to the Province, by amending The Education Act of 1974, to make appropriate revisions to the electoral system for the boards of education, so as to maximize its electoral effectiveness.

REMUNERATION

The Commission believes that the scale of remuneration for the elected representatives should be based on the scope and function of the tasks they are to perform. The Niagara Region is a multi-million dollar enterprise. It requires more than part-time elected officials to run the operation effectively. The scale of remuneration should be substantially adjusted so as to permit more than the well-to-do or the retired to take on the job at hand and to devote the time truly required for the effective operation of the government. The level of remuneration paid in the Niagara Region is considerably below that in most other regional governments. (See Tables 9 and 10.)

The elected representatives themselves should determine the amount they should be paid. The best time to do this is shortly before an election to take effect at the beginning of the new term. That amount then would apply only to those who have sought election and have been chosen by the electorate to serve on the new council.

Councillors frequently shy away from making decisions regarding what they should be earning. Perhaps their decisions regarding their own pay or the pay of their successors reflects an assessment of their own value and/or the value of their jobs.

The opportunity to serve in public life should be available to any competent citizen within the Region. No one should go into debt in order to serve the public. The pay scale should be sufficiently attractive so as to attract good people and not prevent them from running because of economic drawbacks. Elected representatives should have some economic freedom. During the first half dozen years of the Niagara Region's history, there have been far too many acclamations. The Commission has received information that leads it to believe that the small amount of remuneration available for regional councillors is a factor that has discouraged some very willing, well-qualified and able people from standing for office. If such people will not stand for office, then there will be acclamations.

Good government does not come cheaply. To provide high level services, to employ capable civil servants, to have a worthwhile municipal structure and to have the best elected officials can cost money. The life of an elected councillor is often irregular, hectic, and full of thankless tasks. In order to help attract more of the best people available, it will be necessary to offer them satisfactory remuneration. Then too, the job of an elected official is subject to the whim of the electorate as he must stand for election every two years. When the people of Niagara are prepared to pay a realistic amount to their governors, it will then attract more of the people that have the time and ability required to run this multi-million dollar operation, and widen the choice of good candidates available to the electorate.

TABLE 9

Renumeration - Regional Municipalities*

Region & Population	Chairman	Councillor	Member of Executive Committee
Durham (234,465)	$ 35,800	$ 11,000	
Haldimand-Norfolk (85,840)	25,600	7,566	
Halton (221,261)	35,800	8,995	
Hamilton-Wentworth (408,466)	40,400	8,500	
Metropolitan Toronto (2,152,269)	47,400	6,000	$ 4,000
Niagara (358,663)	25,000	5,000	
Ottawa-Carleton (506,592)	43,900	6,100	11,500
Peel (354,317)	35,800	10,000	
Sudbury (166,121)	32,400	5,000	
Waterloo (286,281)	36,300	5,750	
York (195,141)	33,750	8,640	
District of Muskoka (33,445)	20,000	3,300	

* These figures are based on the best attainable information. There are changes and sometimes additional allowances.

Population base is the 1976 Municipal Directory.

All Regional Councillors except in the Niagara Region and the various Chairmen receive remuneration at both the local and regional level. For example, the Mississauga total is $20,000, Stoney Creek is $12,856 and Norfolk is $14,588.

TABLE 10

Remuneration - Area Municipalities *

Region	Mayor or Reeve	Alderman
Durham		
Oshawa (102,876)	$22,200	$5,170
Whitby (27,179)	15,800	5,400
Scugog (10,962)	5,440	4,800
Haldimand-Norfolk		
Nanticoke (18,836)	9,000	7,000
Simcoe (13,874)	6,000	2,400
Norfolk (11,095)	9,180	7,020
Halton		
Burlington (101,926)	21,500	6,800
Halton Hills (33,268)	11,000	5,400
Milton (18,431)	10,000	4,000
Hamilton-Wentworth		
Dundas (19,315)	10,071	4,279
Stoney Creek (30,011)	7,260	4,356
Glanbrook (10,057)	5,000	3,000
Metro Toronto		
Toronto (685,333)	34,000	18,000
Scarborough (372,278)	28,500	13,000
York (140,188)	23,000	8,600
Niagara		
Fort Erie (23,072)	7,500	3,600
Grimsby (15,555)	7,950	4,800
Lincoln (14,252)	6,360	3,000
Niagara Falls (67,892)	18,120	4,500
Niagara-on-the-Lake (12,383)	5,000	3,500
Pelham (9,534)	5,000	3,000
Port Colborne (20,340)	8,780	4,180
St. Catharines (120,396)	19,000	4,000
Thorold (14,694)	5,500	3,000
Wainfleet (5,933)	3,600	3,600
Welland (44,972)	9,900	4,000
West Lincoln (9,339)	5,180	3,000
Ottawa-Carleton		
Ottawa (302,124)	32,557	12,042
Nepean (74,000)	38,042	9,189
March (6,910)	10,000	3,600
Peel		
Mississauga (234,975)	20,000	10,000
Brampton (98,590)	18,000	6,000
Caledon (20,752)	10,000	6,000
Sudbury		
Sudbury (97,741)	20,800	4,000
Rayside-Balfour (15,485)	14,000	3,600
Capreol (4,065)	3,520	1,650
Waterloo		
Kitchener (130,228)	20,000	6,750
Waterloo (48,468)	15,350	4,250
Wellesley (6,345)	4,000	2,400
York		
Markham (53,093)	15,000	8,000
Newmarket (24,142)	15,840	5,000
King (13,768)	6,000	4,000
District of Muskoka		
Huntsville (10,149)	12,128	4,856
Bracebridge (7,810)	6,540	3,815
Georgian Bay (1,963)	8,400	4,800

* These figures are based on the best attainable information.
There are changes and sometimes additional allowances.
Population base is the 1976 Municipal Directory.

Chapter 12
Provincial Government

In constitutional terms, municipalities in Canada are within the sphere of provincial jurisdiction. The Ontario Provincial Government influences and controls the activities of the municipalities within the Province in at least four major ways:

- it defines not only the structure and organization of municipalities, but also the scope of their authority and responsibility.

- it sets out the method of raising taxes and obtaining funds and has imposed many restrictions and overall controls on the expenditure of municipal monies.

- many by-laws enacted by municipalities require ministerial or provincial board approval before coming into effect.

- it influences the ability of municipalities to make decisions through the routine delivery of its own programs and services, which sometimes vary from year to year.

This control is exercised through a multiplicity of acts of the legislature and grants that contain a variety of conditions, requirements and regulations. It is also done through the Ontario Municipal Board and its control of planning and of financing, particularly capital financing.

It became very clear to this Commission at an early stage that the functions and responsibilities of the Province are very substantial throughout the Niagara Region. Its operation and effect are felt everywhere and its actions permeate the whole community. It is for this reason that this Commission turned part of its attention towards an examination of the ministries within the Region. The study of these aspects is far from complete. Not only was there a time factor, but there was far too little information received, though clear evidence exists of issues to be resolved, particularly as they affect local government and the community.

The actual effect of the powers exercised and of the varying methods of control have had a considerable impact on the municipalities of the Niagara Region, on their development, status and structure.

Since 1945 the rapid pace of urbanization has dramatically increased the importance of the municipal level of government. As the pace of socio-economic change has quickened, a number of tensions have developed in provincial/municipal relations.

The Provincial Government took a major step when it set up metropolitan government in Toronto in 1953. Subsequently, ten regional governments and the District of Muskoka have been set up and a restructuring process has been provided for the counties. These have been the main efforts of the Provincial Government to reform and to strengthen municipal government. The Province has added strength to the second level of government, generally referred to as regional government in place of county government, and about 60 per cent of the population of the Province is now living in areas where regional government rather than county government is in effect. In theory, if not fully in practice, considerably more status and recognition has been given to the second level of government and key functions affecting the entire area have been transferred to that level. Some of the functions are shared.

These actions by the Provincial Government in establishing the regional governments have averted many of the pressing problems characteristic of modern urban

society with its larger number of people in more concentrated areas. While some problems were solved, new problems and issues developed which require a new type of approach by the Province and the municipalities.

While it is recognized that the fundamental power and responsibility remain with the Provincial Government there is a need to recognize the status and position of the regional system, and to give it full recognition as a specific level of government. This Commission considers that the regional level of government should be able to make decisions on its own, that it is not just to administer policy from the Province, that it has a degree of autonomy and is not an automaton, that it will receive effective decision-making authority, that it will obtain a viable financial basis and that there will be variations in the status and power of the structures depending on size, capacity and strength of each. The Commission would caution that while it favours the further delegation of decision-making authority to the largest extent possible, it does not support the concept of city states or of final authority resting with the regional governments. The Province has a duty and responsibility to retain ultimate control of functions and responsibilities in light of the best interests of the entire community.

The representatives on regional councils must be prepared not only to seek greater powers from the Province, but be willing to accept responsibility for them. The regional councils must exercise those powers for the good of the community for which they are responsible and must be prepared to be responsible for the consequences.

At the same time as the Province has been setting up regional governments, it has had a policy of deconcentration and decentralization of the operations of its various ministries, through establishing field offices. The operations of these field offices do have a direct effect on the exercise of functions and responsibilities of the Province and of the Niagara Region and the area municipalities.

The field offices vary in many ways. They vary in strength from the district offices of the Ministry of Transportation and Communications, which are very intensive, to the former field offices of the Ministry of Housing, which no longer exist.

The field offices vary with respect to the types of functions they perform. Some of them provide services: the Ministry of Agriculture and Food provides information and technical services for the agricultural operations, carries out intensive research towards improving the methods of production and types of crops produced, and works directly with the individual farmers and the agricultural associations; the Ministry of the Environment field offices work with municipal governments on matters of water and sewer services, and also with individuals and industry throughout the area on pollution control and abatement.

There are some questions concerning field offices for which this Commission has no definitive answers. To what extent should the activities of the field offices of various ministries be co-ordinated with each other, or should this co-ordination be at the ministry or central office level? What will be the extent of the authority of those in the field office with respect to making decisions and having them reviewed by the ministry or central office? What functions of the ministry should the regional and local governments resolve with the field offices and what functions with the ministry itself, and essentially, where will the strength be - at the field office, or at the regional level - and which one will receive the greater recognition from the Provincial Government? To what extent is there a dual performance of service through the field office and through municipal government? Could the functions of the field office be performed by the municipal government or, even more drastically, could the functions of the municipality be carried out by the field office?

The Commission notes that with respect to the various ministries, different administrative boundaries have been established for the jurisdiction of their various field offices.

The Commission received no complaints with regard to the present boundaries. The Niagara Region is contained entirely within the districts and regions of the various ministries, with the exception of the Ministry of Agriculture and Food, which divides the Region into two areas, Niagara North and Niagara South. There is, based on available information, a very high degree of co-operation between these two areas.

The Commission sought information from the ministries and the field offices concerning their functions and responsibilities within the Region. Two meetings were held with ministry personnel in Thorold. These were helpful, not only to the Commission, but to many of those who attended, in becoming aware of what else was being done by the Province throughout the Region.

Municipal government is very directly affected by the level of co-ordination at the provincial level. The changes instituted as a result of the recommendations by the Committee on Government Productivity (COGP) were obviously intended to provide for better co-ordination with the provincial administrative system. The policy field concept was adopted and various ministries were grouped together under a Provincial Secretary responsible for a particular policy field.

We leave to others to determine the amount of co-ordination occurring at the ministerial level and with the central offices of the ministries. This Commission's concern was from the viewpoint of municipal government as to the degree of co-ordination among the central office, the field offices, and the various ministries. It should be a regional level responsibility and function to provide co-ordination within the Region.

From the material and information the Commission received, and from the background studies, it is clear that there is need for some improvement with respect to the knowledge and understanding of the various field offices, of the functions of the various ministries, and of the functions of the Regional Government and the area municipalities. This is a matter which is more likely to benefit from informal discussions and associations of the field offices than from formal or legislative changes.

The examples the Commission is commenting on are illustrations of matters where it is the informal contact that needs to be improved far more than any particular legislative change. The Commission would stress that co-ordination should be practised before an action or a decision, rather than to rush together after the events. While co-ordination is helpful, communication is essential. It is a two-way process for both the Province and the municipalities; each has a responsibililty to obtain information and to inform other levels of government about impending changes which will affect structure, operations, and particularly financial aspects.

The Municipal Liaison Committee is a key mechanism with respect to communication. However, since it mainly originates from the associations and not necessarily from direct contact with the municipalities, there sometimes are awkward communication gaps. Part of this is being resolved by the new Municipal Liaison Committee Newsletter, which is informative and helps to provide information to municipalities.

The Treasury publication known as 'Background' is very informative and helpful at the municipal level. The advantage of a publication such as this is that it reaches out to all municipalities regardless of size and is an appropriate method for the provision of information from the Province to the municipalities.

Improved methods of distributing the bills tabled in the Legislature, particularly immediately after first reading, are desirable. The Commission recommends that the Province institute improved methods of arranging for distribution of bills to the municipalities and to others at the earliest possible time after their introduction and consideration in the Legislature. Those members of the Legislature, with or without municipal experience, who stress the importance of municipalities notifying people of matters that concern them, should take heed

of the same policy and make it applicable to the legislative procedures. The Commission notes that with respect to Bill 55 in 1976, which affected several regional governments, several of the municipalities received their information from the members of the Opposition, not from the Ministry itself. The Opposition members in this case were demonstrating a point made in the reports of the Ontario Commission on the Legislature that when the Government fails to exercise its responsibility, the challenge then is to the Opposition to take appropriate action. In this case, the Opposition members did. It is partly as a result of discussions prompted by this distribution that items were deleted from the Bill. Changes might not have been necessary had there been adequate preparation and prior consultation with the municipalities.

Bill 89 was given Royal Assent on June 22, 1976, as The Municipal Amendment Act of 1976. It was not until August 24, 1976 that a letter went from the Parliamentary Assistant to the Treasurer to inform municipalities of the passage of the Act and of its contents. The Commission suggests that the action could have been taken more promptly.

The Ontario Building Code came into effect on December 31, 1975. The Ministry of Consumer and Commercial Relations relied on the media to convey the message to the municipalities and it was some time after that date that the municipalities received notice. Fortunately, there was a three month leeway in the Code taking effect. This provided time for the municipalities to examine it and, prompted by the Ontario Association of Rural Municipalities, to point out a major error. The Ministry was able to take corrective action - a clear example of the advantage of informing the municipalities so that they might consider new proposals before they take effect. It should be made quite clear that the Commission also considers that the municipalities have a responsibility to keep themselves informed and to watch the Legislature. They may be able to do this more effectively through their provincial associations maintaining a watchdog operation on the Provincial Government.

It is the Commission's understanding that, in some of the situations it has noted during the course of its review, some remedial action has been taken. The following examples are set out in anticipation that by doing so it will reduce the possibility of the recurrence of similar events and be a guide for future action.

The first example is known in the Commission's records as "The Pelham Letter". In 1975 the staff of the Ministry of Treasury, Economics and Intergovernmental Affairs proposed changes in the method of preparation for the 1975 Municipal Finance Reports. This involved a variation in the method of analysis of expenditures by both object and function. Treasury officials had discussions with the municipal associations, the Municipal Liaison Committee, and with some appointed municipal officials. The information did not reach the treasurers of all the municipalities until late in 1975 when a series of seminars were held. The officials of Pelham reacted because they considered it would involve them in unnecessary expenditure of time and money. Pelham Council passed a resolution requesting that the new procedures be deferred until 1976. The resolution went to the Provincial Treasurer, three local M.P.P.'s, other area municipalities, and the Niagara Regional Council. The latter Council not only endorsed the resolution, but requested that the Chairman meet with the Minister in order to determine what steps might be taken to resolve the problem.

The Minister replied by letter to Pelham in which he indicated that the Ministry would accept less than complete compliance for 1975 and that the effect of offering the various levels of compliance for 1975 would be to alleviate the burden on municipalities about which Pelham complained.

The reply went to Pelham, to the three local M.P.P.'s and this Commission. Strangely,it did not go to the Niagara Region, nor to the other area municipalities, nor even to the individual in Treasury's Central Field Office who conducted the seminars. He received his first copy of the letter from this Commission.

The Commission, having seen the letter, made inquiries about the procedure for general notification and received no firm answer. Surprisingly, a discussion of the issue appeared shortly thereafter in the Treasury publication Background, and thus the information which had been around for some time finally came to the attention of the municipalities.

The Pelham Letter demonstrates the need for the Province to communicate impending changes, to consult in advance with all municipalities affected and to allow sufficient time for implementation. In addition, if the ministry is to maintain field offices, then they too must be kept informed of actions affecting that region.

Another example is known as ''The Port Colborne Letter''. Regional Niagara, with the Ministry of the Environment, concluded an agreement for the provision of water and sewer services and as a result applied the concept of equalized water and sewer rates. The total program involved a capital expenditure of over $120 million to be paid with interest at special rates over many years.

Initial engineering reports indicated a favourable financial situation for Port Colborne. The rate structure for Port Colborne however, changed dramatically and rose because of the large quantities of sewage being processed. This is reported to be as a result of a variety of factors, such as the extraneous flows, the lake levels, and other items, all of which are still under review and examination. In 1975, $200,000 was provided by the Provincial Government in direct assistance to Port Colborne as a temporary relief measure.

In 1976 when the Niagara Regional Council set the new rates for water and sewer charges, the then Mayor of Port Colborne took a very emphatic, even explosive, position in opposition. The council members, knowing that they had arrived at a decision on a critical matter after extensive debate, were reluctant to change the policy in a summary manner. A Technical Committee, consisting of appointed and elected representatives of both the Niagara Region and Port Colborne, as well as a staff representative from the Ministry of the Environment, was established to examine the matter in detail and determine the actual situation and possible solutions.

At the Regional Council level, considerable effort was made to reach an equitable solution - equitable for Port Colborne and for other parts of the Region. Port Colborne also exercised its rights under the agreement and legislation to appeal to the Ontario Municipal Board on the matter of the 1976 rates. The Regional Council, and perhaps even the Mayor of Port Colborne, may have considered that some positive steps were being taken towards achieving a reasonable solution. Conversely, the Mayor might not have shared this view, since he saw fit to approach staff in the Provincial Treasury about the problem from the point of view of Port Colborne. As a result of his approach, a letter, dated March 30, 1976, was prepared for the Minister, which he signed, and which was delivered to the Chairman of Regional Niagara just before Council was to meet. The Regional Council met and tabled the letter. The letter surprised and shocked many members of Council. This Commission has examined the circumstances surrounding the letter. It is our information that the letter was prepared from a financial point of view, without consultation with the Ministry of the Environment which was represented on the investigating committee appointed by the Region, without consulting or reviewing the subject with the Regional Government as to the circumstances, and without having advice from the Region that it had not been able to resolve the problem.

The Port Colborne Letter proposed a system for financing water and sewer services similar to that used in the Regional Municipality of Peel. However, the Peel sewage system is quite different in a physical sense from that which exists in the Niagara Region. They are not really comparable. The letter suggested a sewer surcharge on water consumption, a method that obviously did not fit with the Region's water and sewer operations, particularly with respect to industry.

In the Commission's view, the letter revealed the attitude that because the Ministry had previously expended some $200,000 in an attempt to rectify the Port Colborne situation, it also had an overriding position to interfere in this matter. The letter stated that ''Apparently council had been unable to find a suitable solution to this anomaly''. Had there been any effective consultation with the Ministry of the Environment or with the Niagara Region authorities, it is unlikely that the letter would have been sent. In the view of this Commission, the letter was mistaken in its assumptions, incorrect in its description of the situation, and highly inappropriate as a formal communication to another level of government.

No specific request from the Region had been submitted to the Treasurer to present his views on this matter, nor does it appear that he was aware of the action being taken by the Region.

The Commission, with sadness and regret, touches on this letter so that it can stand as a signal to all of the provincial ministries that if the goal is to have successful regional governments with operating strength and stature as a separate level of government, then letters of this type should not be sent.

(As a sequel, a while later it was ' discovered ' that Port Colborne had been paying monies for pumping stations to the Ministry of the Environment which should have been paid by the Niagara Region. The amount was about $350,000, and the Niagara Region took steps to give Port Colborne full credit for this amount. This Commission acknowledges that, like many others, it is puzzled about the source of the error whereby Port Colborne kept overpaying this amount during the two-year period.)

The subject of fluoridation of water has a special history of its own. In Niagara the issue has been over the power to decide whether or not it could have fluoridated water. Regional Niagara, in October 1971, wrote to the Hon. Dalton Bales, then Minister of Municipal Affairs, quoting a resolution of Council requesting that amendments be made so that The Fluoridation Act would apply to the Region and the area municipalities. In 1972, amendments and assurances of action were discussed in the Legislature. However, neither amendments nor action were forthcoming. The Commission made inquiries and was advised in a letter from the Treasury Department in August 1976, that ''we have unfortunately been unable to locate the reply to the 1971 letter from the Regional Municipality of Niagara. However, when it surfaces, we will make it available.''

The records also indicate that the Regional Council, as a result of discussions on report DEP-482, requested the Province to amend the existing legislation so as to make the provisions of The Fluoridation Act available to the Regional Municipality. On August 1, 1975, the Treasurer replied and advised that the proposal would receive careful consideration. The Niagara Region staff made informal inquiries from time to time but no further formal action was taken by Regional Council.

Following up these inquiries, the Commission learned from an official of Treasury's Legal Branch in September 1976, that ''the Minister of Health advised me last March that Cabinet had decided not to proceed with the amendment last session. If you want to know what, if any, action is to be taken with respect to this matter, you might write the Ministry directly.'' Finally, the Minister of Health, Frank S. Miller, in a letter to this Commission dated October 21, 1976, observed:

''I have been advised that an amendment to The Fluoridation Act has been prepared. Enactment of the amendment would resolve the problem with respect to the institution of fluoridation in regional municipalities. Cabinet, however, will decide if this legislation will go forward in this Session of the Legislature.''

The Regional Chairman has advised that Regional Niagara has been ever seeking an answer to this outstanding problem - that the provisions of The Fluoridation Act state that fluoridation can only be instituted by a

municipality which provides its own water. In Niagara, this is a regional responsibility and the area municipalities themselves do not operate water treatment plants. Parts of the water system sometimes service more than one municipality. This situation makes the institution of fluoridation for individual municipalities both very complex and expensive, but for over seven years neither the Regional Council nor the municipal councils have been able to either adopt fluoridation or place an effective question on fluoridation before the electorate.

Fluoridation did start in Thorold and Fort Erie in 1952 and in Welland in 1962. In 1964, fluoridation was the subject of a very controversial vote in St. Catharines. The St. Catharines Standard took a very strong position in opposition to this question, a measure of the influence and power of the press at that time. The result of the vote was negative. Would the same position be taken today, or would the efforts against fluoridation still be as successful?

In December 1976, Fort Erie placed a question on its ballot concerning fluoridation. The result was negative, but while some literature was distributed, there was little discussion in the the media or by the candidates. Similar stirrings concerning fluoridation are apparent in Niagara Falls, Welland and Thorold.

The case of Thorold is of some immediate concern since there will shortly be a common water system for both Thorold and St. Catharines from the Decew water plant. In order to continue the fluoridation of Thorold's water it would be necessary to establish a separate connection on the water line to be manned twenty-four hours a day. This solution is possible, but most impractical and an expensive way to carry out the will of the people.

This Commission believes that the people of the Niagara Region have a right to decide whether or not their water should be fluoridated. The Ontario Government could provide for the fluoridation of water by means of a legislative act, and also a way to determine what the people of Niagara themselves want to do. The Commission recommends that legislation be enacted to provide for a region-wide vote on the matter of fluoridation. The supply of water is a regional responsibility and the fluoridation of water should be decided on a regional basis. If the question is defeated on a regional basis, then those area municipalities which now have fluoridation and which vote for fluoridation should have an opportunity to continue with the fluoridation of their water.

The Province has both the authority and responsibility to act. Conversely, the Region has the responsibility when its request is neglected, to press publicly for a position to be either adopted or rejected by the Province.

Throughout this report there are various comments on the relationship of various ministries with the municipalities on particular issues.

Up until a few years ago, the municipalities shared the responsibility for the administration of justice, certainly for paying a portion of the cost. This is now a responsibility of the Provincial Government. The courts and their operation are a significant element of our system of government. For administrative purposes the Niagara Region is contained within the Central West Region of the Ministry of the Attorney-General. A committee, under the title Projects - Central West, was set up with a view to establishing certain services common to the entire area, such as that of Taxing Officer, and to provide for the free movement of judges and senior administrative personnel within the project area. This was to consider the feasibility of implementing recommendations from the Ontario Law Reform Commission concerning the administration of the courts. The Commission notes that the Committee which was set up had a limited mandate, but it ascertained that it dealt with matters of stunning complexity over a long period of time. However, we are still waiting for information on the project and a recent White Paper presented by the Ministry apparently altered the whole concept and operation of the Projects - Central West Committee.

The citizens of the Region have raised questions with the Commission concerning the inadequacies of court facilities and services. The Region consists of two judicial districts drawn along the former county lines and the respective county courts of each district are in Welland and St. Catharines. The Commission recommends that in the interests of the Niagara Region and its people greater priority be given to the resolution of issues such as the location of the courts, the provision of court services, records and facilities, and consideration of the recommendations of the Ontario Law Reform Commission. A period of financial restraint may exist, but surely some method can be found to implement reforms in the administration of justice without a great expenditure of funds.

As pointed out in the background study on planning, the failure to include the Niagara Region in the Central Ontario Lakeshore Urban Complex (COLUC) Report was a serious omission. While the Niagara Region may have other aspects of concern than those set out in the COLUC Report, it would have been most advantageous to have had it included for the basis of comparison of statistics and for a mutual exchange of knowledge and information on common issues. Rising out of the COLUC situation, a Regional Information Systems Committee (RISC) has been established to implement an information gathering system for the Regional Municipalities of Hamilton-Wentworth, Halton, Peel, York, Durham and Metropolitan Toronto.

The Regional Municipality of Niagara has at last attained observer status on RISC.

The Commission suggests that not only does Regional Niagara have a responsibility to join RISC, but also that when schemes for exchanging information are being proposed through provincial participation steps should be taken to include all the Ontario regions so that they may share in the benefits and contribute to the knowledge that is required. The Province, in establishing regional government and future county restructuring, should have a means of measuring performance. Comparative information should be available on a comparable basis from all municipalities. The Commission recommends that the RISC program be extended to include Niagara and the other regions, and that a very determined effort be made to endeavour to set up comparable information tabulation for the various municipalities.

The Commission, in its efforts to obtain employment information from the municipalities of the Niagara Region such as the category of employees, whether union or non-union, whether management, administrative or non-management, came to the conclusion that on present day job and functional descriptions, it was virtually impossible to prepare any effective table or tabulation of employees. The Commission has omitted any tabulation concerning police forces because of various methods of determining the information and the uncertainty as to what is included in comparative tabulations.

An even more serious problem for municipalities is to determine the effect and status of the multiplicity of legislative acts which affect their activities; sometimes a single activity is covered in various sections of different acts.

A prime task, which should be given the greatest priority, is to revise, update and consolidate the various acts which affect municipal governments, truly an enormous task, but one which should be done sooner rather than later.

The property tax is of vital importance to the municipality, being the major source of revenue. The municipality needs to know the ownership of land and how the land is being used, for it is on this basis that it can determine business tax, allocate school tax and have the information to form the base for the preparation of the electoral lists. The lists are the best source of names for notification of zoning and other changes. The clerks and treasurers of the municipalities need the most up-to-date information possible to best perform their fuctions. Even with computers, T.V. screens and ultra-modern methods of communication, there still is a need to have accurate and up-to-date information.

The maintenance of the assessment rolls is a function of the Province. They are the source for basic material for the voters' lists and for raising taxes. In the comments on electoral matters the Commission makes various recommendations with respect to the preparation of the voters' lists. The Commission particularly raised the point of having the voters' lists prepared in June instead of in December.

It is also important that the details with respect to valuations of property should come much earlier in the year so that assessment notices can be sent out long before December. In this way many of the appeals could be determined before the end of the year and would provide municipalities with more accurate figures on which to base their mill rate. The assessment offices obtain their information from the enumeration and inspections by the property assessors.

Another source of information is from the Land Registry Offices where details of changes of ownerhip are recorded, however only the names and addresses of new owners are obtained. To remedy this situation, some assessment offices send out forms to the new owner or the solicitor to obtain further details concerning sex, nationality, religion and birth dates. Sometimes some information is forwarded by solicitors. No regular or uniform procedure is used. Several months later the information is sought through enumeration.

The Province must indeed develop a system which will allow the tax authorities in the municipalities to update their tax accounting system with the latest changes in ownership, school support, and so forth.

The Commission appreciates that the basic deed to convey property has become overloaded with affidavits for many things, some of which have no reference to title or municipal taxes. The Commission is not sure how many studies, study groups, task forces or inter-ministerial committees, are examining this topic. The Commission would not wish to add either another committee for study or another affidavit to the deed. The Commission however suggests that a form similar to the municipal enumeration notice be completed in advance without an affidavit, with information about the new owners, and filed in the Land Registry Office at the time of registration of the deed. This form would be detached and sent to the assessment office which could check with its records, and then forward the information to the municipal taxing authorities on a periodic or regular basis, depending on the volume involved.

This might involve changes in legislation and re-arrangement of workloads and budget allocations within the various ministries. It might prove to be more economical and efficient and help the municipality keep its tax records up-to-date.

For those occupying rented properties, who are not recorded in the Land Registry Office, a postcard or fold-in letter form based on the municipal enumeration notice could be made available. Tenants, on changing location, would be requested to mail these into the area assessment office so that the records of tenancies could be kept up-to-date.

While on the subject of assessment offices, the Commission recommends that the title be changed from regional to either Provincial or District Assessment Office. As noted by a Provincial Assessment Officer when writing to the Commission, ''to call them 'local' would be confusing in the minds of the public with the offices of the local municipalities.'' This applies even moreso to the word 'regional', which continues to gain strength and status in referring to that level of government. It is something that the Provincial Government should examine carefully and eliminate the unnecessary use of the word 'regional' within their ministries and agencies.

The Commission acknowledges that it has probably entered into an aspect that few considered relevant to its terms of reference. The Commission considers that provincial/municipal relations are extremely relevant to local government, that the functions and responsibilities of the ministries and the manner of their co-ordination and communication with local municipal government are of critical importance. The Commission is the

first to acknowledge that this aspect of the study is far from complete. It probably deserves a separate and special study of its own, for there were many points that the Commission was unable to follow up and which merit attention.

The Commission has had an unusual opportunity of reviewing the operations, functions, responsibilities of the regional and area municipal governments, and particularly of observing the various relationships with the ministries of the Provincial Government, of the separate boards and the agencies of the Provincial Government. The Commission considers that with the increased urbanization, status and strength of municipal government, particularly regional government and the restructured county governments, the activities of municipalities involve more than mere financial matters. The Commission considers the municipalities are involved with many activities quite apart from those that normally come under the operation of the Treasury. The functions of the municipalities are very broad in scope.

The functions of the former Department of Municipal Affairs were distributed among many ministries. The basic function of the relationship with the municipal governments was absorbed into intergovernmental activities of the Ministry of Treasury, Economics and Intergovernmental Affairs.

The observations of this Commission cast doubt on the wisdom of the elimination of the ministry especially responsible for matters involving the municipalities. The Commission recommends that the Provincial Government re-examine this subject. The alternatives that could be considered are the establishment of a separate ministry of municipal affairs, a special minister attached to the Treasury with ministerial responsibilities for municipal activities or giving special status to the parliamentary assistant to the Treasurer.

The municipalities deserve to be recognized and this change could be of substantial benefit to both the municipalities and the Provincial Government.

Conclusions

The essence of good government is that it is ever-changing. This is evident in the Niagara Region which is changing to meet the divergent needs of the people. New standards are evolving in order to meet the varying expectations of the people living and working in Niagara.

This report, one of a series in Ontario, is a second generation review of regional government which is an adaption of county government. This report sets out a number of comments, suggestions and recommendations to be considered within the context of the report and of today's times. None of them are final and all are subject to change. All are directed to stimulating further discussion.

Clearest of all the needs of the Niagara Region is for more effective communication. The insistence on thoroughly researched, factual information as a prerequisite to decision-making should be resolutely adhered to by those who govern at various levels; similarly, full and timely disclosure of government deliberations, whether leading to decisions or not, should be circulated throughout the Region to those whose lives and livelihoods are directly affected. Through such communication comes the opportunity for elected representatives to act responsibly and for the electorate to hold them accountable.

Communication is but a prelude to co-ordination. Government is far too complex to be contained at a single level. Each level needs to co-ordinate horizontally among its own ministries and departments, and vertically with the other levels - local, regional, provincial and federal.

Co-ordination is necessary for the Region to achieve the most efficient and economic use of its resources - the human talent, the money supply and the time available. Some of the recommendations are directed towards improvement of existing degrees of co-ordination, others towards financing related to responsibilities and a more effective distribution of functions. The target is to achieve a structure of government which will utilize the available strength and capacity to its maximum potential and attain those goals which are not beyond the grasp of people and of their government.

Another theme of this report is the need for recognition, understanding and acceptance of this seemingly new, yet historic, form of government - regionalism. This is especially valid at the level of the Provincial Government whose enabling legislation created not another administrative structure, but new strengths and powers for a form of county government.

The need for knowledge and understanding of regionalism is important for the public - the taxpayers - so they may participate by making their views known to the proper authorities at the proper time and with easy access. Some recommendations concerning the electoral process may make it easier for the people to show their preferences.

Among the proposals surrounding the election system is one that may provide a greater opportunity for public participation, and at the same time facilitate better financial and physical planning by elected representatives - namely to hold elections in October and start the new term in November.

Desires and needs are constantly changing. The Niagara Region was once a centre of government for the Six Nation Indian tribes. Then came Courts of Quarter Sessions, police villages, counties, school sections and a system of separated towns, villages and townships. The former Lincoln County, having been divided into several parts, is now substantially brought together again as the Niagara Region.

It is wise to have periodic reviews to confirm that which is good and to examine the opposite in order to determine the type and scope of improvements required. This review, like many others, has reflected the combined knowledge and understanding of the people of the Region. In general, the review process should be ongoing, ever seeking that most illusory of answers, the most salutary system to make a democracy work for the people and the community in which they live.

It is hoped that this review along with the background studies will be a catalyst to stimulate discussion and debate leading to meaningful decisions, mindful that decisions are easy; it is the consequences which may be difficult.

Appendix 1
Terms of Reference and Biographical Notes

PURPOSE

The purpose of this review is to develop recommendations for the consideration of the Council of the Regional Municipality, the councils of the area municipalities and the Province of Ontario on the organization, administration and functioning of the system of local government within the Region. The study will include the political systems, the administrative systems and the relationship between them. Without limiting the generality of the terms of reference the study will centre on improvements that can be made to the present system of local government based on criteria such as: accountability, responsiveness, communality, effectiveness, responsibility and accessibility. To this purpose the Commissioner is empowered and instructed to:

Examine, evaluate and make appropriate recommendations on the structure, organization and operations of local government within the Regional Municipality of Niagara area, including all municipal governments, boards and commissions with specific reference to the following:

(a) the present anticipated future social and economic conditions including population and economic growth patterns, and the resources and service requirements of the municipalities;

(b) the appropiate division of responsibilities and functions among:
  (i) the Province and the system of local government operating within the study area;
  (ii) the Region and the area municipalities;
  (iii) the Region and the area municipalities and all local boards and commissions;

(c) the roles and selection of the heads of councils and committee chairmen, and their relationships to the members of municipal councils;

(d) the organization of municipal councils and their committees, with particular reference to roles and systems of policy-making and implementation;

(e) the systems of administration and the relationship of the administrative organizations to the municipal councils and committees to councils in the development and implementation of policies in the Regional area;

(f) the appropriate systems of representation in the Regional area;

(g) the relationships between the members of municipal councils and the electorate and residents of the Regional area, with specific regard for the requirements of responsive local government decision-making and the accountability of members of councils and their boards and commissions;

(h) the relationship between revenue and expenditures in the Region, the area municipalities in the Region, the area municipalities and special-purpose bodies; including the adequacy of revenues and the priority setting mechanism for expenditures;

(i) the relationships between the Federal Government and its agencies and local governments within the Region and the impact of federal plans and programs on municipal plans and programs within the Regional area;

(j) the effect of the Niagara Escarpment Commission and other Provincial agencies upon the plans and programs of local governments within the Regional area;

(k) and other matters which the Study Commissioner considers relevant to local government in the Regional area.

The Commissioner for the Niagara Regional Review is already familiar with the area. William Archer was born in Hamilton in 1919 and grew up in the Niagara area. His father was the Rev. William L. Archer and the family lived in Port Dalhousie, Thorold, Stamford Township and St. Catharines.

Mr. Archer started to work in a Toronto office and later in the Imperial Bank of Canada before enlisting in the Royal Canadian Naval Volunteer Reserve in 1940. He entered as ordinary seaman and after being appointed leading signalman he completed officer training and subsequently served as signals officer. He now holds the rank of Lieutenant-Commander, Ret'd.

Following the war he attended McGill University where he obtained an Arts degree majoring in subjects related to political science and labour management. He attended Osgoode Hall from 1949 to 1953. He entered general practice in 1954, concentrating in municipal, corporate and commercial matters. In 1962 Mr. Archer received his Queen's Counsel. He is at present a partner in the firm of Hughes, Archer in Toronto.

Mr. Archer has had wide municipal experience from a number of points of view. During the period 1959 to 1972 he served as controller and alderman on Metropolitan and City Councils of Toronto. His committee responsibilities included the planning board, library board, chairman of the legislation and planning committee for Metropolitan Toronto and co-ordinator for the Yonge Street Mall. Mr. Archer has also served as chairman of the resolutions committee of the Ontario Municipal Association for three consecutive years. He was recently a member of the Ontario Task Force on Policing.

Among the organizations with which Mr. Archer has had involvement are: Social Planning Council, Canadian Civil Liberties Association (Board of Directors), the Canadian Institute on Public Affairs, Community Planning Association of Canada, Naval Officers' Association of Canada and the International Institute of Metropolitan Toronto.

Mr. Archer and his wife Gwendolyn have one daughter Janet.

Appendix 2
Information Published by Commission

Background Research Studies

Electoral Systems in the Niagara Region - M.J.Powell

Environment Ministry - Farm Tax Rebate: Two Case Studies, Provincial Municipal Relations in the Niagara Region - Smith, Auld & Associates Ltd.

Fire Protection in the Niagara Region - Dr.R.Church

Industrial Promotion in the Niagara Region - Smith, Auld & Associates Ltd.

Land Use Planning in the Niagara Region - Dr.J.N.Jackson

Mass Media in the Niagara Region - Dr.W.H.N.Hull

Municipal Organization in the Niagara Region - Dr.R.Church

Public Finance in the Niagara Region - Dr.Lewis A.Soroka

List of Publications

September, 1975	To the People of the Niagara Region (Terms of Reference and Biographies)
October, 1975	Establishment of Office Facilities
November, 1975	Information re: Mayo Commission in Ottawa-Carleton and additional questions concerning the Niagara Region
December 22, 1975	Niagara Region Study Review Prospectus
January, 1976	For Your Information document
January 6, 1976	Remarks Prepared for Delivery by the Commissioner at a joint meeting of the Stamford and the Niagara Falls Lions Clubs
February 27, 1976	Remarks Prepared for Delivery by the Commissioner at the Niagara North Agricultural Society Annual Meeting
March, 1976	Financial Statistics

Appendix 3
Proposed City of Lincoln, Study of Financial Implications, Prepared by Dr. Lewis A. Soroka, Brock University

This paper contains estimates of the financial implications of the proposed new City of Lincoln, composed of the Towns of Lincoln and Grimsby and portions of St. Catharines and West Lincoln. The estimates are necessarily approximate, for without very detailed analysis it is not possible to foresee changes in the costs of providing services; the new City of Lincoln, however, would be largely composed of two existing separate jurisdictions (Grimsby and Lincoln), and it is therefore reasonable to assume that an amalgamation would not lead to major per household cost increases. Similarly, no account is taken of cost changes resulting from the possibility of modified service levels. Thus, total expenditures in the four municipalities involved are assumed to remain unchanged, although there is a re-allocation of expenditures among municipalities as a result of the restructuring. Similarly, tax revenues remain unchanged in total (assuming no change in mill rates); the only anticipated changes on the revenue side of the ledger are in unconditional grants from the Province of Ontario.

On this basis - i.e. assuming no changes in costs of services or in mill rates - the new municipality would have generated a small surplus of $63,336, or 0.8 per cent of revenues in 1974. The combined surplus in the four municipalities involved would have increased slightly, from $1,377,049 to $1,400,128. The calculations which lead to these results are outlined below.

GENERAL METHOD

The basic approach on the expenditure side is to transfer expenditures to the City of Lincoln in proportion to the assessment transferred to the new municipality. The expenditures transferred from St. Catharines and West Lincoln are subtracted from the expenditures to be made by the remaining portions of those municipalities. Tax revenues and payments-in-lieu are transferred in a similar way, as are conditional grants. Unconditional grants are then calculated for the three restructured municipalities according to provincial formulas. All calculations are based on 1974 data. The details are as follows:

1. Revenues

(a) Tax revenues are transferred from St. Catharines and West Lincoln in proportion to the proportion of taxable assessment transferred; an adjustment is made to take account of the fact that residential/farm assessment is taxed at rates 15 per cent below commercial/industrial rates. Tax revenues in the Towns of Lincoln and Grimsby are added to these transferred revenues.

(b) Payments-in-lieu are transferred in proportion to the proportion of exempt assessment transferred to the City of Lincoln.

(c) Conditional grants are assumed to be related to per household expenditures. They are therefore transferred to the City of Lincoln in proportion to the proportion of households transferred.

(d) General support grants are based on a municipality's "Net General Dollar Levy", which is an adjusted expenditure figure. Net general dollar levies are transferred from St. Catharines and West Lincoln in proportion to the assessment transferred. The grant rate is assumed to be 6 per cent of the resulting net general dollar levy for the City of Lincoln; this grant rate is an approximate average of the rates for the municipalities involved. (The actual grant rate in 1974 depended upon the increase in a municipality's expenditures in the previous year; the rate is now standardized at 6 per cent.)

(e) Resource equalization grants are based on a municipality's "assessment for R.E.G. purposes", which is equal to equalized taxable assessment plus an "equivalent assessment" to take into account payments-in-lieu received by the municipality. Assessment for R.E.G. purposes was transferred from St. Catharines and West Lincoln in proportion to the total transferred assessment. The total assessment for R.E.G. purposes in the City of Lincoln, together with the population figure for the new municipality formed the basis for the calculation of the resource equalization grant according to provincial formula.

(f) Basic per capita grants were set at $9.00 plus $7.00 for policing purposes. Grants for the remaining portions of St. Catharines and West Lincoln were also adjusted.

(g) Density grants were based on the estimated density (households per acre) of the new municipality. The restructuring does not produce any change in density grant rates for St.Catharines and West Lincoln, although the total grants are adjusted for changes in population.

(h) Other unconditional grants are small, and represent the difference between total unconditional grants as reported in Municipal Financial Reports and general support and resource equalization grants. They are transferred to the City of Lincoln in proportion to transferred assessment.

(i) Other revenues are transferred in proportion to transferred assessment.

2. Expenditures

(a) Total own expenditures are assumed to be related to the number of households served. The expenditures transferred from West Lincoln are equal to that municipality's total own expenditures per household multiplied by the number of households transferred. The per household expenditures transferred from St. Catharines were not taken to be those for the City as a whole, for they were considered unrepresentative of the rural Louth area; instead, the per household expenditures for the Town of Lincoln were used to provide a better indication of the costs of servicing the Louth area.

(b) Education levies were transferred in proportion to transferred assessment, with an allowance made for the 10 per cent differential between residential/farm and commercial/industrial education mill rates.

(c) Upper tier levy calculations were carried out for the City of Lincoln according to the existing formula. The police cost portion was transferred in proportion to transferred assessment.

3. Results

The results of these calculations are shown in Tables I-III. Overall, there is a net increase in combined provincial grants to the areas involved (Table I). Total revenues, shown in Table II decline slightly because the decline in the total resource equalization grant exceeds the increase in the general support grant (which may be a little high because of the assumption of a 6 per cent grant rate). Note that the density and per capita grants do not affect revenues; they are subtracted from the regional levy, and therefore appear in Table III (Expenditures). This table shows a slight decline in total expenditures, for regional levies are reduced by the increased level of density grants. The overall effect is to produce the slight surpluses shown in Table III.

TABLE I

Unconditional Grants
$

	Resource Equalization Grant	General Support Grant	Other Unconditional Grants	Basic Per Capita Grant	Density Grant	Total Unconditional Grants
Before:						
Lincoln (Town)	149,767	89,224	26,000	225,488	70,465	560,944
Grimsby	269,885	37,823	1,000	252,464	63,116	624,288
West Lincoln	105,753	38,538	11,000	142,736	44,605	342,632
St.Catharines	1,667,382	395,630	13,000	1,817,568	-	3,893,580
Total	2,192,787	561,215	51,000	2,438,256	178,186	5,421,444
After:						
Lincoln (City)	471,901	145,133	27,869	520,080	162,525	1,327,508
West Lincoln	100,893	36,063	10,294	134,368	41,990	323,608
St.Catharines	1,605,991	390,680	12,837	1,783,808	-	3,793,316
Total	2,178,785	571,876	51,000	2,438,256	204,515	5,444,432

TABLE II

	Revenues $							
	Tax Revenues	Payments-in-Lieu	Conditional Grants	General Support Grant	Resource Equalization Grant	Other Unconditional Grants	Other Revenue	Total Revenue
Before:								
Lincoln (Town)	2,709,379	45,000	305,000	89,224	149,767	26,000	150,000	3,474,370
Grimsby	3,029,696	21,000	316,000	37,823	269,885	1,000	107,000	3,782,404
West Lincoln	1,414,000	8,000	350,000	38,538	105,753	11,000	130,000	2,057,291
St.Catharines	25,520,000	695,000	963,000	395,630	1,667,382	13,000	1,340,000	30,594,012
Total	32,673,075	769,000	1,934,000	561,215	2,192,787	51,000	1,727,000	39,908,077
After:								
Lincoln (City)	6,149,180	67,786	658,291	145,133	471,901	27,869	282,114	7,802,274
West Lincoln	1,323,201	7,975	330,204	36,063	100,893	10,294	121,652	1,930,282
St.Catharines	25,200,694	693,239	945,505	390,680	1,605,991	12,837	1,323,234	30,172,180
Total	32,673,075	769,000	1,934,000	571,876	2,178,785	51,000	1,727,000	39,904,736

TABLE III

Expenditures
$

Upper Tier Tax Levy Summary

	Total Own Expenditure	Education	Net Cost + Police Bd. Cost	Less: Basic Per Capita Grant	Less: Density Grant	1974 Tax Levy	Total Expenditure	Total Revenue	Surplus or Deficit
Before:									
Lincoln (Town)	1,721,000	1,290,000	689,572	225,488	70,465	393,619	3,404,619	3,474,370	69,751
Grimsby	2,020,000	1,293,000	775,246	252,464	63,116	459,666	3,772,666	3,782,404	9,738
West Lincoln	949,000	775,000	402,669	142,736	44,605	215,328	1,939,328	2,057,291	117,963
St.Catharines	14,628,000	10,641,000	5,962,983	1,817,568	-	4,145,415	29,414,415	30,594,012	1,179,597
Total	19,318,000	13,999,000	7,830,470	2,438,256	178,186	5,214,028	38,531,028	39,908,077	1,377,049
After:									
Lincoln (City)	4,085,374	2,768,531	1,576,638	520,080	162,525	885,033	7,738,938	7,802,274	63,336
West Lincoln	895,324	724,779	376,122	134,368	41,990	199,764	1,819,867	1,930,282	110,415
St.Catharines	14,337,302	10,505,690	5,886,619	1,783,808	-	4,102,811	28,945,803	30,172,180	1,226,377
Total	19,318,000	13,999,000	7,839,379	2,438,256	204,515	5,187,608	38,504,608	39,904,736	1,400,128

Appendix 4
Submissions to the Commission

Submissions Discussed at Public Hearings

MUNICIPALITIES

Town of Grimsby
Town of Lincoln
City of Niagara Falls
Town of Niagara-on-the-Lake
Town of Pelham
City of Port Colborne
City of St. Catharines
City of Thorold
Township of Wainfleet
City of Welland
Township of West Lincoln

Regional Municipality of Niagara
-- Chairman J. E. Campbell
-- Homes for the Aged and Social Services Committee
-- Planning Committee
-- Public Works & Utilities Committee

SPECIAL-PURPOSE BOARDS AND COMMISSIONS

Family & Children's Services
Lincoln County Board of Education
Lincoln County Separate School Board
Niagara Peninsula Conservation Authority
Niagara Regional Board of Commissioners of Police
Niagara Regional Health Unit
Niagara Region Police Association
Niagara South Board of Education
Region Niagara Tourist Council
Welland County Roman Catholic Separate School Board

BUSINESS AND LABOUR GROUPS

Lincoln Agricultural Society
Niagara District Council, Canadian Union of Public Employees
Niagara Falls Chamber of Commerce
Niagara Federations of Agriculture
Niagara Peninsula Fruit and Vegetable Growers' Association
Niagara South Federation of Agriculture
North Niagara Federation of Agriculture
St.Catharines and District Chamber of Commerce
St.Catharines - Niagara Real Estate Board

OTHER COMMUNITY GROUPS

Board of Governors of Ridley College
Niagara Grapevine
Pelham Environment Action Group
Social Planning Council of Niagara Falls
Women's Regional Action Programme, Niagara Region

INDIVIDUAL CITIZENS

Gerald Andress
Madeline Faiazza
Betti Michael
Mel Swart, M.L.A.
Charles Tanner

Submissions Also Received by Commission

Acres, P.B., Lincoln
ACTION (Associated Concerned Townspeople in Old Niagara)
Alexander, Donald, St. Catharines
Andrews, Abbie, St. Catharines
Anonymous
Brown, Walter, Grimsby
Bucknall, Delby, Lincoln

Campbell, Mary, St. Catharines
Campbell, R.O., Fort Erie
Corcoran, Hugh, St. Catharines
Costello, H.E., Grimsby
Culnane, T.E., Lincoln

Dawson, H.A., Niagara-on-the-Lake
Dirkson, Art, St. Catharines

Elliottson, Karen, St. Catharines
Ellis, Ora F., West Lincoln

Farr, Edwin J., Grimsby
Fournier, Benoit, Welland

Goodman, Roger, Niagara-on-the-Lake
Grandoni, Peter, Niagara Falls
Grimshaw, L.A. (Mrs.), St.Catharines

Hubert, V. (Mrs.), St. Catharines

Keighan, Robert, Niagara Falls
King, Frank, Niagara Falls
Knutt, Edna (Mrs.), Niagara Falls

Longo, Wm., Pelham
Love, Hugh, Niagara Falls

MacDonald, L., Thorold
MacNeil, Don, St. Catharines
McGinnis, C.A. (Mrs.), St. Catharines
McKague, Ken, St.Catharines
Mechanical Contractors Association Niagara
Mohri, Fletcher, Lincoln

Peat, D. & E., Pelham
Prata, Guy, Niagara Falls
Pratten, Frank, Pelham

Roberts, Allan J., St. Catharines
Rocco, Betty E. (Miss), Thorold
Ross, Romaine K., St.Catharines

Shepherd, George H., St.Catharines
Short, Fred, Lincoln
Smits, Nel, Thorold
Storey, Alfred, Pelham
Sturgeon, Dr. L.W.C., Welland
Swayze, Josephine (Mrs.), Welland
Syrotiuk, Geraldine (Mrs.), Thorold

Thompson, Edra, Vineland
Thorold Chamber of Commerce

Upshall, W.H., Vineland

Whalen, J.J., Thorold
Wiley, Donald, St. Catharines
Wiley, Warren, St. Catharines

Ziff, Stella, Stevensville

Appendix 5
Itinerary of the Commissioner

Representatives of Grapevine
Urban Development Institute, Niagara Chapter
Lincoln Study Group
Port Colborne Rotary Club
Niagara Chapter, Ontario Association of Architects
Niagara College Journalism Class
Joint meeting of the Stamford and Niagara Falls Lions Clubs
Public meeting in St. Catharines (informal)
Smithville & District Chamber of Commerce
Public meeting in Niagara Falls (informal)
Public meeting in Welland (informal)
St.Catharines Central Lions Club
Public Hearing in St.Catharines (brief)
Port Colborne Lions Club
North Niagara Federation of Agriculture Annual Meeting
Public meeting in Port Colborne (informal)
Meeting to discuss cultural matters
Public hearing in Welland (submissions to Commission)
Public hearing in Lincoln (Lincoln County Board of Education and Lincoln County Separate School Board)
Public hearing in Niagara Falls (submissions to Commission)
Meeting with Provincial liaison representatives
Public hearing in Thorold (Niagara South Board of Education and Welland County Roman Catholic Separate School Board)
Public hearing in Thorold (Land Division Committee)
Public hearing in Thorold (City brief)
St. Catharines Kiwanis Club
Public hearing in West Lincoln (Township brief)
Welland Kiwanis Club
Public hearing in Niagara Falls (City brief)
Niagara Falls Bar Association
Public hearing in Port Colborne (City brief)
Public hearing in Wainfleet (Township brief)
Public hearing in Welland (City brief)
Public hearing in Grimsby (Town brief)
Public hearing in Lincoln (Town brief)
Public hearing in Pelham (Town brief)
Public hearing in Niagara-on-the-Lake (Town brief)
Public hearing in Fort Erie (submissions to Commission)
Public hearing in St. Catharines (further City submission)
Meeting with Provincial liaison representatives
Public meeting in Niagara Falls (culture)
Public hearing with Regional Council (Committee briefs)
Public hearing in St. Catharines (submissions to Commission concerning social services)
Public hearing in Lincoln with Federations of Agriculture (Tour of area farms preceding meeting.)
Meeting with Niagara Regional Board of Commissioners of Police (brief)
Meeting with Niagara Police Association (brief)
Niagara Regional Exhibition, Welland
Balls Falls Conservation Area
Charles Daley Park
Ontario Anti-Poverty Coalition, Welland
Grape and Wine Festival Parade, St.Catharines
Annual Meeting of Family & Children's Services, St.Catharines
Labour Management Seminar, Beacon Motor Hotel
Ontario Environmental Assessment Board Hearing re: Discussion of sludge site in Niagara Falls
Welland/Pelham Reservoir Commencement of Construction, Welland
Ontario Federation of Labour, Regional Government Conference
Welland Public Library official opening
Helicopter trip across Niagara Region
Ontario Federation of Agriculture - Met with delegates from Niagara in Hamilton
Provincial Cabinet Meeting, Niagara College, Welland
Royal Commission on Violence meeting, Niagara Falls
Royal Commission on Hydro-electric Power meeting, Welland
Pelham Environment Action Group
Niagara Falls Parking Committee Businessmen's Group
Welland Planning Committee Meeting
Provincial Cabinet presentation, Hamilton
Niagara Regional Police station opening, Niagara Falls
Smithville arena official opening
Public meeting to discuss Regional road network in Niagara Falls
Niagara Regional Library System
Association of Ontario Housing Authorities, Southern Zone Meeting, Niagara Falls
LGMP meeting, Development Division, Regional Public Works Department
Thorold High School
Pelham Community Recreation Conference
Advisory Housing Committee, Regional Niagara
Thorold Lions Club, Annual Civic Nite

Resource Recovery, Public meeting sponsored by Ministry of the Environment
Ontario Federation of Labour Conference, Niagara Falls
Welland Chamber of Commerce Annual Dinner Meeting - Salute to Ellis P. Morningstar
Bureau of Municipal Research Annual Meeting
United Auto Workers meeting
Royal Canadian Legion, Public Speaking Contest, Zone Finals, St. Catharines
Ridley College
Planning Act Review Committee meeting
Council of Public Employers meeting
Library Seminar (Bowron Report) Niagara College, Welland
Institute of Assessors, Niagara Falls, guest speaker, W. Darcy McKeough
Niagara Regional Police display, Pen Centre, St. Catharines
Hamilton-Wentworth Regional Council meeting
St. Catharines Collegiate Institute Homecoming
Pollution Control Plant Expansion, Port Dalhousie, official opening
St. Catharines Mammoth Homecoming Parade
St. Catharines Day in the Park - Montbello Park
Gyro Club Centennial Dance
Niagara Parks Commission meeting
Niagara Escarpment Commission meeting
Thompson Products Employees Fair noting Regional Niagara exhibit
Welland Chamber of Commerce meeting re: Official Languages Act
Erie County and City of Buffalo government offices
Niagara District Health Council Annual Meeting, Brock University, St. Catharines

2223